











BANCROFT'S HISTORY  
OF THE  
UNITED STATES OF AMERICA.

*CENTENARY EDITION.*

VOL. I.



HISTORY  
OF THE  
UNITED STATES OF AMERICA,

FROM  
THE DISCOVERY OF THE CONTINENT.

BY  
GEORGE BANCROFT.

IN SIX VOLUMES.

VOL. I.

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## PREFATORY NOTE.

FOR more than forty years, the author has been accustomed to invite and receive, from friends in all parts of the Union, instruction on the branches of American history to which they had specially given attention; and, during the same period, new and more complete materials have become accessible from the most various sources. Of manuscripts that have fallen within his reach, it has been his habit to take copies or extracts, where they served to settle a question of importance, so that the means of testing any controverted statement might always be at hand.

The notes and papers which have thus been accumulated form the groundwork of the present revision, to which a solid year of close and undivided application has been devoted. Every noteworthy criticism that has come under observation has been carefully weighed, accepted for what it was worth, and never rejected, except after examination. The main object has been the attainment of exact accuracy; so that, if possible, not even a partial error may escape correction. A very few statements disappear before the severer application of the rules of historical criticism; some

topics, heretofore omitted, find their place; and simplicity and clearness have been the constant aim.

The gratitude due to the invisible, the impartial public, whose service alone is freedom, can be shown only by continuing the pursuit of truth so long as there is light.

WASHINGTON, D.C., December, 1875.

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# HISTORY OF THE UNITED STATES.

## INTRODUCTION.

THE United States of America constitute an essential portion of a great political system, embracing all the civilized nations of the earth. At a period when the force of moral opinion is rapidly increasing, they have the precedence in the practice and the defence of the equal rights of man. The sovereignty of the people is here a conceded axiom, and the laws, established upon that basis, are cherished with faithful patriotism. While the nations of Europe aspire after change, our constitution engages the fond admiration of the people, by which it has been established. Prosperity follows the execution of even justice; invention is quickened by the freedom of competition; and labor rewarded with sure and unexampled returns. Domestic peace is maintained without the aid of a military establishment; public sentiment permits the existence of but few standing troops, and those only along the seaboard and on the frontiers. A gallant navy protects our commerce, which spreads its banners on every sea, and extends its enterprise to every clime. Our diplomatic relations connect us on terms of equality and honest friendship with the chief powers of the world; while we avoid entangling participation in their intrigues, their passions, and their wars. Our national resources are developed by an earnest culture of the arts of peace. Every man

may enjoy the fruits of his industry; every mind is free to publish its convictions. Our government, by its organization, is necessarily identified with the interests of the people, and relies exclusively on their attachment for its durability and support. Even the enemies of the state, if there are any among us, have liberty to express their opinions undisturbed; and are safely tolerated, where reason is left free to combat their errors. Nor is the constitution a dead letter, unalterably fixed: it has the capacity for improvement; adopting whatever changes time and the public will may require, and safe from decay, so long as that will retains its energy. New states are forming in the wilderness; canals, intersecting our plains and crossing our highlands, open numerous channels to internal commerce; manufactures prosper along our watercourses; the use of steam on our rivers and railroads annihilates distance by the acceleration of speed. Our wealth and population, already giving us a place in the first rank of nations, are so rapidly cumulative, that the former is increased fourfold, and the latter is doubled, in every period of twenty-two or twenty-three years. There is no national debt; the community is opulent; the government economical; and the public treasury full. Religion, neither persecuted nor paid by the state, is sustained by the regard for public morals and the convictions of an enlightened faith. Intelligence is diffused with unparalleled universality; a free press teems with the choicest productions of all nations and ages. There are more daily journals in the United States than in the world beside. A public document of general interest is, within a month, reproduced in at least a million of copies, and is brought within the reach of every freeman in the country. An immense concourse of emigrants of the most various lineage is perpetually crowding to our shores; and the principles of liberty, uniting all interests by the operation of equal laws, blend the discordant elements into harmonious union. Other

governments are convulsed by the innovations and reforms of neighboring states; our constitution, fixed in the affections of the people, from whose choice it has sprung, neutralizes the influence of foreign principles, and fearlessly opens an asylum to the virtuous, the unfortunate, and the oppressed of every nation.

And yet it is but little more than two centuries since the oldest of our states received its first permanent colony. Before that time the whole territory was an unproductive waste. Throughout its wide extent the arts had not erected a monument. Its only inhabitants were a few scattered tribes of feeble barbarians, destitute of commerce and of political connection. The axe and the ploughshare were unknown. The soil, which had been gathering fertility from the repose of centuries, was lavishing its strength in magnificent but useless vegetation. In the view of civilization the immense domain was a solitude.

It is the object of the present work to explain how the change in the condition of our land has been brought about; and, as the fortunes of a nation are not under the control of blind destiny, to follow the steps by which a favoring Providence, calling our institutions into being, has conducted the country to its present happiness and glory. 1834.



# COLONIAL HISTORY.

## CHAPTER I.

### EARLY VOYAGES. FRENCH SETTLEMENTS.

THE enterprise of Columbus, the most memorable maritime enterprise in the history of the world, formed between Europe and America the communication which will never cease. The story of the colonization of America by Northmen rests on narratives, mythological in form, and obscure in meaning; ancient, yet not contemporary. The intrepid mariners who colonized Greenland could easily have extended their voyages to Labrador, and have explored the coasts to the south of it. No clear historic evidence establishes the natural probability that they accomplished the passage; and no vestige of their presence on our continent has been found.

Nearly three centuries before the Christian era, Aristotle, following the lessons of the Pythagoreans, had taught that the earth is a sphere, and that the water which bounds Europe on the west washes the eastern shores of Asia. Instructed by him, the Spaniard Seneca believed that a ship, with a fair wind, could sail from Spain to the Indies in the space of a very few days. The opinion was revived in the middle ages by Averroes, the Arab commentator of Aristotle. Science and observation assisted to confirm it; and poets of ancient and of more recent times had foretold that empires beyond the ocean would one day be revealed to the daring navigator. The genial country of Dante and Buonarotti gave birth to Christopher Columbus, by whom these lessons were so received and weighed that he gained the glory of fulfilling the prophecy. Accounts of the navigation from

the eastern coast of Africa to Arabia had reached the western kingdoms of Europe; and adventurous Venetians, returning from travels beyond the Ganges, had filled the world with dazzling descriptions of the wealth of China as well as marvellous reports of the outlying island-empire of Japan. It began to be believed that the continent of Asia stretched over far more than a hemisphere, and that the remaining distance round the globe was comparatively inconsiderable. Yet from the early part of the fifteenth century the navigators of Portugal had confined their explorations to the coast of Africa; and, when they had ascertained that the torrid zone is habitable even under the equator, the discovery of the islands of Madeira and the Azores could not divert them from the purpose of turning the southern capes of that continent, and steering past them to the land of spices, which promised untold wealth to the merchants of Europe, new dominions to its princes, and heathen nations to the religion of the cross. Before the year 1474, and perhaps as early as 1470, Columbus was attracted to Lisbon, which was then the great centre of maritime adventure. He came to insist with immovable resoluteness that the shortest route to the Indies lay across the Atlantic. By letters from the venerable Toscanelli, the illustrious astronomer of Florenee, who had drawn a map of the world with eastern Asia rising over against Europe, he was riveted in his faith, and lived only in the idea of laying open the western path to the Indies.

After more than ten years of vain solicitations in Portugal, he left the banks of the Tagus, to seek the aid of Ferdinand and Isabella, rich in nautical experience, having watched the stars at sea from the latitude of Iceland to near the equator at Elmina. Though yet longer baffled by the skepticism which knew not how to share his aspirations, he lost nothing of the grandeur of his conceptions, or the magnanimity of his character, or devotion to the sublime enterprise to which he held himself elected from his infancy by the promises of God; and when half resolved to withdraw from Spain, travelling on foot, he knocked at the gate of the monastery of La Rabida, at Palos, to crave the needed charity of food

and shelter for himself and his little son whom he led by the hand, the destitute and forsaken seaman, in his naked poverty, was still the promiser of kingdoms; holding firmly in his grasp "the keys of the ocean sea," claiming, as it were from Heaven, the Indies as his own, and "dividing them as he pleased." The increase of years did not impair his holy confidence; and in 1492, when he <sup>1492.</sup> seemed to have outlived the possibility of success, he gave a New World to Castile and Leon, "the like of which was never done by any man in ancient or in later times."

The self-love of Ferdinand of Spain was offended at owing to a foreigner benefits too vast for requital; and the contemporaries of the great mariner persecuted the merit which they could not adequately reward. Nor had posterity been mindful to gather into a finished picture the memorials of his career, till Irving, with candor, liberality, and original research, made a record of his life, and in mild but enduring colors sketched his inflexibility of purpose, the trances of his mystic devotion, and the unfailing greatness of his soul.

Successive popes of Rome had already conceded to the Portuguese the undiscovered world, from Cape Bojador in Africa, easterly to the Indies. To prevent collision between Christian princes, on the fourth of May, 1493, <sup>1493.</sup> Alexander VI. published a bull, in which he drew an imaginary line from the north pole to the south a hundred leagues west of the Azores, assigning to Spain all that lies to the west of that boundary, while all to the east of it was confirmed to Portugal.

The commerce of the middle ages, concentrated upon the Mediterranean Sea, had enriched the Italian republics, and had been chiefly engrossed by their citizens. After the fall of the Byzantine empire, the Christian states desired to escape the necessity of strengthening the Ottoman power by the payment of tribute on all intercourse with the remoter east. Maritime enterprise, transferring its home to the borders of the Atlantic, set before itself as its great problem the discovery of a pathway by sea to the Indies; and England, which like Spain and Portugal looked out upon the ocean, became a competitor for the unknown world.

The wars of the houses of York and Lancaster had terminated with the intermarriage of the heirs of the two families; the spirit of commercial activity began to be successfully fostered; and the marts of England were frequented by Lombard adventurers. The fisheries of the north had long tempted the merchants of Bristol to an intercourse with Iceland; and had matured the nautical skill that could buffet the worst storms of the Atlantic. Nor is it impossible that some uncertain traditions respecting the remote discoveries which Icelanders had made in Greenland towards the northwest, "where the lands nearest meet," should have excited "firm and pregnant conjectures." The achievement of Columbus, revealing the wonderful truth of which the germ may have existed in the imagination of every thoughtful mariner, won the admiration which belonged to genius that seemed more divine than human; and "there was great talk of it in all the court of Henry VII." A feeling of disappointment remained, that a series of disasters had defeated the wish of the illustrious Genoese to make his voyage of essay under the flag of England. It was, therefore, not difficult for John Cabot, a Venetian, then residing at Bristol, to

interest that politic king in plans for discovery. On 1496. the fifth of March, 1496, he obtained under the great seal a commission, empowering himself and his three sons, or either of them, their heirs, or their deputies, to sail into the eastern, western, or northern sea, with a fleet of five ships, at their own expense, in search of islands, provinces, or regions, hitherto unseen by Christian people; to affix the banners of England on city, island, or continent; and, as vassals of the English crown, to possess and occupy the territories that might be found. It was further stipulated in this "most ancient American state paper of England," that the patentees should be strictly bound, on every return, to land at the port of Bristol, and to pay to the king one fifth part of their gains; while the exclusive right of frequenting all the countries that might be found was reserved to them and to their assigns, unconditionally and without limit of time.

Under this patent, which, at the first direction of English

enterprise towards America, embodied the worst features of monopoly and commercial restriction, John Cabot, taking with him his son Sebastian, embarked in quest of new islands and a passage to Asia by the north-west. After sailing prosperously, as he thought, for seven hundred leagues, on the twenty-fourth day of June, 1497, early in the morning, almost fourteen months before Columbus on his third voyage came in sight of the main, and more than two years before Amerigo Vespucci sailed west of the Canaries, he discovered the western continent, probably in the latitude of about fifty-six degrees, among the dismal cliffs of Labrador. He ran along the coast for many leagues, it is said even for three hundred, and landed on what he considered to be the territory of the Grand Cham. But he encountered no human being, although there were marks that the region was inhabited. He planted on the land a large cross with the flag of England, and, from affection for the republic of Venice, he added also the banner of St. Mark, which had never before been borne so far. On his homeward voyage he saw on his right hand two islands, which for want of provisions he could not stop to explore. After an absence of three months, the great discoverer re-entered Bristol harbor, where due honors awaited him. The king gave him money, and encouraged him to continue his career. The people called him the great admiral; he dressed in silk; and the English, and even Venetians who chanced to be at Bristol, ran after him with such zeal that he could enlist for a new voyage as many as he pleased.

A second time Columbus had brought back tidings from the isles which to the end of his life he steadfastly believed to be the outposts of India. It appeared to be demonstrated that ships might pass by the west into those rich eastern realms where, according to the popular belief, the earth teemed with spices, and imperial palaces glittered with pearls and rubies, with diamonds and gold. On the third day of the month of February next after his return, "John Kaboto, Venician," accordingly obtained a power to take up ships for another voyage, at the rates fixed for those employed in the service of the king,

and once more to set sail with as many companions as would go with him of their own will. With this license every trace of John Cabot disappears. He may have died before the summer; but no one knows certainly the time or the place of his end, and it has not even been ascertained in what country this finder of a continent first saw the light. His wife was a Venetian woman, but at Venice he had himself gained the rights of citizenship in 1476, only after the residence of fifteen years, which was required of aliens before denization.

His second son, Sebastian Cabot, probably a Venetian by birth, a cosmographer by profession, succeeded to the designs of his father. He reasoned justly, that, as the degrees of longitude decrease towards the north, the shortest route to China and Japan lies in the highest practicable

latitude; and with youthful fervor he devoted him-  
1498. self to the experiment. In May, 1498, Columbus,

radiant with a glory that shed a lustre over his misfortunes and griefs, calling on the Holy Trinity with vows, and seeing paradise in his dreams, embarked on his third voyage to discover the main land, and to be sent back in chains. In the early part of the same month, Sebastian Cabot, then not much more than twenty-one years of age, chiefly at his own cost, led forth two ships and a large company of English volunteers, to find the north-west passage to Cathay and Japan. A few days after the English navigator had left the port of Bristol, Vasco da Gama, of Portugal, as daring and almost as young, having turned the Cape of Good Hope, cleared the Straits of Mozambique, and sailed beyond Arabia Felix, came in sight of the mountains of Hindostan; and his happy crew, decking out his little fleet with flags, sounding trumpets, praising God, and full of festivity and gladness, steered into the harbor of Calicut. Meantime Cabot proceeded towards the north, till icebergs compelled him to change his course. The coast to which he was now borne was unobstructed by frost. He saw there stags larger than those of England, and bears that plunged into the water to take fish with their claws. The fish swarmed innumerably, in such shoals they seemed

even to affect the speed of his vessels, so that he gave to the country the name of Bacallaos, a word of German origin, which still lingers on the eastern side of Newfoundland, and has passed into the language of the Italians as well as the Portuguese and Spanish, to designate the cod. Continuing his voyage, according to the line of the shore, he found the natives of those regions clad in skins of beasts, but they were not without the faculty of reason, and in many places were acquainted with the use of copper. In the early part of his voyage, he had been so far to the north that in the month of July the light of day was almost continuous; before he turned homewards, in the late autumn, he believed he had attained the latitude of the Straits of Gibraltar and the longitude of Cuba. As he sailed along the extensive coast, a gentle westerly current appeared to prevail in the northern sea.

Such is the meagre account given by Sebastian Cabot, through his friend Peter Martyr, the historian of the ocean, of that great voyage, which was undertaken by the authority of "the most wise" prince Henry VII., and made known to England a country "much larger than Christendom."

Thus the year 1498 stands singularly famous in the annals of the sea. In May, Vasco da Gama reached Hindostan by way of the Cape of Good Hope; in August, Columbus discovered the firm land of South America, and the river Oronoco, which seemed to him to flow from some large empire, perhaps even from the terrestrial paradise itself; and, in the summer, Cabot, the youngest of them all, made known to the world the coast line of the present United States, as far as the entrance to the Chesapeake. The fame of Columbus was embalmed in the poetry of Tasso; Da Gama is the hero of the national epic of Portugal; but the elder Cabot was so little celebrated that even the reality of his voyage has been denied; and Sebastian derived neither benefit nor immediate renown from his expedition. His main object had been the discovery of a north-western passage to Asia, and in this respect his voyage was a failure; while Da Gama was cried up by all the world for having found the way by the south-east. For the next half century it was hardly

borne in mind that the Venetian and his son had, in two successive years, reached the continent of North America, before Columbus came upon the low coast of Guiana. But England acquired through their energy such a right to North America as this priority could confer. The successors of Henry VII. recognised the claims of Spain and Portugal, only so far as they actually occupied the territories to which they laid pretension; and, at a later day, the English parliament and the English courts derided a title founded not upon occupancy, but upon the award of a Roman pontiff.

“Lord, into thy hands I commend my spirit,” were 1506 the words of Columbus, as on Ascension Day, 1506, he breathed his last. His great discovery was the triumph of free mind. In the year of his death, Copernicus, emancipated from obsequiousness to authority and superstition, attained the knowledge of the true theory of our solar system.

For nearly sixty years, during a period while marine adventure engaged the most intense public curiosity, the illustrious mariner, from whom England derived a claim to our shores, was reverenced for his knowledge of cosmography and his skill in navigation. On the death of Henry VII., he was called out of England by the command of Ferdinand, the Catholic king of Castile, and was appointed one of the Council for the New Indies, ever cherishing the hope to discover “that hidden secret of nature,” the direct

1518. passage to Asia. In 1518 he was named Pilot Major of Spain, and no one could guide a ship to the Indies whom he had not first examined and approved. He

1524. attended the congress which in April, 1524, assembled at Badajoz to decide on the respective pretensions of Portugal and Spain to the islands of the Moluccas. A

company having been formed at Seville for commerce 1526. with the Indies, in April, 1526, he took command of an expedition with plans of passing into the Pacific, examining the south-western coast of the American continent,

and opening a trade with the Moluccas. His larger purposes being defeated by a mutiny, he entered the Plata, and discovered the Parana and Paraguay. Returning to Seville in

July, 1530, he was reinstated in his high office by the emperor Charles V. 1530.

Manuel, king of PORTUGAL in its happiest years, grieved at his predecessor's neglect of Columbus, was moved by emulation to despatch an expedition for west and north-west discovery. In the summer of 1501, two caravels 1501 under the command of Gaspar Cortereal ranged the coast of North America for six or seven hundred miles, till, somewhere to the south of the fiftieth degree, they were stopped by ice. Of the country along which he sailed, he admired the verdure, and the stately forests in which pines, large enough for masts and yards, promised an object of gainful commerce. But, with the Portuguese, men were an article of traffic; and Cortereal freighted his ships with more than fifty Indians, whom, on his return in October, he sold as slaves. The name of Labrador, transferred from the territory south of the St. Lawrence to a more northern coast, is a memorial of his voyage; and is, perhaps, the only permanent trace of Portuguese adventure within the limits of North America.

The FRENCH competed without delay for the New World. Within seven years of the discovery of the continent, the fisheries of Newfoundland were known 1504. to the hardy mariners of Brittany and Normandy, and they continued to be frequented. The Island of Cape Breton took its name from their remembrance of home; and in France it was usual to esteem them the discoverers of the country. A map of the Gulf of St. Lawrence was drawn in 1506 by Denys, a citizen of Honfleur. 1506.

In 1508, savages from the north-eastern coast had been brought to France; 1508 ten years later, plans of colonization in North America were suggested by De Lery and Saint-Just. 1518.

There exists a letter to Henry VIII., from St. John, Newfoundland, written in August, 1527, by an English 1527. captain, in which he declares he found in that one harbor eleven sail of Normans and one Breton, engaged in the fishery. The French king, engrossed by the unsuccessful rivalry with Charles V., could hardly respect so

humble an interest. But Chabot, admiral of France, a man of bravery and influence, acquainted by his office with the fishermen, on whose vessels he levied some small exactions for his private emolument, interested Francis. 1534. in the design of exploring and colonizing the New World. James Cartier, a mariner of St. Malo, was selected to lead the expedition. His several voyages had a permanent effect in guiding the attention of France April 20. to the region of the St. Lawrence. It was in April that the mariner, with two ships, left the harbor of St. Malo; and prosperous weather brought him in May 10. twenty days upon the coasts of Newfoundland. Having almost circumnavigated the island, he turned to the south, and, crossing the gulf, entered the bay, which he called Des Chaleurs, from the heats of midsummer. Finding no passage to the west, in July he sailed along the coast, as far as the smaller inlet of Gaspé. There, upon a point of land, at the entrance of the haven, a lofty cross was raised, bearing a shield, with the lilies of France and an appropriate inscription. Leaving the Bay of Aug. Gaspé, Cartier in August discovered the great river of Canada, and ascended its channel, till he could discern land on either side. As he was unprepared Aug. 9 to remain during the winter, on the ninth of that month he steered for Europe, and, in less than thirty Sept. 5 days, his fleet entered the harbor of St. Malo. His native city and France were filled with the fame of his discoveries.

The court listened to the urgency of the friends of Cartier; a new commission was issued; three well-furnished ships were provided by the king; and some of the young nobility of France volunteered to join the new expedition. Previous to the embarkation, the whole company, repairing to the cathedral, received absolution and the bishop's 1535. blessing. In May, 1535, the adventurers sailed for May 19. the New World, full of hopes of discoveries and plans of colonization.

After a stormy voyage they arrived within sight of Newfoundland. Carried to the west of it by a route not easily

traced, on the day of Saint Lawrence, they gave the name of that martyr to a part of the noble gulf which opened before them; a name which has gradually extended to the whole, and to the river. After examining the Isle of Anticosti, they reached in September a pleasant harbor in the isle since called Orleans. The natives, Indians of Algonkin descent, received them with unsuspecting hospitality. After exploring the island and adjacent shore, Cartier moved his two large vessels safely into the deep water of the river now known as the St. Charles, and in his galiot sailed up the majestic stream to the chief Indian settlement on the Island of Hochelaga. The language of its inhabitants proves them to have been of the Huron family of tribes. The town lay at the foot of a hill, which he climbed. As he reached the summit, he was moved to admiration by the prospect before him of woods and waters and mountains. Imagination presented it as the future emporium of inland commerce, and the metropolis of a prosperous province: filled with bright anticipations, he called the hill Mont-Réal, and time, that has transferred the name to the island, is realizing his visions. Cartier gathered of the Indians some indistinct account of the countries now contained in the north of Vermont and New York; and of a cataract at the west end of Lake Ontario, and of the expanse of waters now known as the Bay of Hudson. Rejoining his ships, the winter, rendered frightful by the ravages of the scurvy, was passed where they were anchored. At the approach of spring, a cross, erected upon land, bore a shield with the arms of his country, and an inscription declaring Francis to be the rightful king of this new-found realm, to which the great navigator himself gave the name of New France. On the sixth of July, the Breton mariner regained St. Malo.

The description which Cartier gave of the country bordering on the St. Lawrence furnished arguments against attempting a colony. The intense severity of the climate terrified even the inhabitants of the north of France; and no mines of silver and gold, no veins abounding in diamonds and precious stones, had been promised by

the faithful narrative of the voyage. Three or four years, therefore, elapsed, before plans of colonization were renewed. Yet imagination did not fail to anticipate the establishment of a state upon the fertile banks of a river, which surpassed all the streams of Europe in grandeur, and flowed through a country situated between nearly the same parallels as France. Soon after a short peace had terminated the third desperate struggle between Francis I. and Charles V., attention to America was again awakened; there were not wanting men at court who deemed it unworthy

a gallant nation to abandon the enterprise; and in

<sup>1540.</sup> Jan. 15. January, 1540, a nobleman of Picardy, Francis de la

\* Roque, Lord of Roberval, a man of considerable provincial distinction, sought and obtained a commission as lord of the unknown Norimbega, and viceroy, with full regal authority, over the immense territories and islands which lie near the gulf or along the river St. Lawrence. But the ambitious nobleman could not dispense with the services of the former naval commander, who possessed

the confidence of the king. Cartier was accordingly

<sup>Oct. 17.</sup> in October appointed captain-general and chief pilot

of the expedition; he was directed to take with him persons of every trade and art; to repair to the newly discovered territory, and to dwell there with the natives. To make up the complement of his men, he might take with him from the prisons whom he would, excepting only those arrested for treason or counterfeiting money. The enterprise was watched with jealousy by Spain.

<sup>1541.</sup> The division of authority between Cartier and Roberval of itself defeated the enterprise. Roberval was ambitious of power; and Cartier desired the exclusive honor of discovery. They neither embarked in company

<sup>May 23.</sup> nor acted in concert. Cartier sailed from St. Malo

the next spring after the date of his commission; he arrived at the scene of his former adventures, and, near the site of Quebec, built a fort for the security of his party; but no considerable advances in geographical knowledge

appear to have been made. The winter passed in

<sup>1542.</sup> sullenness and gloom. In June of the following year,

he and his ships stole away and returned to France, just as Roberval arrived with a considerable re-enforcement. Unsustained by Cartier, Roberval accomplished no more than a verification of previous discoveries. Remaining about a year in America, he abandoned his immense vice-royalty. Perhaps the expedition on its return entered the Bay of Massachusetts.

For the next years, no further discoveries were attempted by the government of a nation which was rent by civil wars and the conflict with Calvinism. Yet the number and importance of the fishing stages increased; in 1578 there were one hundred and fifty French vessels at Newfoundland, and voyages for traffic with the natives met with success. One French mariner, before 1609, had made more than forty voyages to the American coast.

At length, when under the mild and tolerant reign of Henry IV., the star of France emerged from the clouds which had long eclipsed her glory, the purpose of founding a French empire in America was renewed, and in 1598 an ample commission was issued to the Marquis de la Roche, a nobleman of Brittany. Yet his enterprise entirely failed. Sweeping the prisons of France, he established their tenants on the desolate Isle of Sable. After some years, the few survivors received a pardon, and were brought back to their native country.

The prospect of gain prompted the next enterprise. A monopoly of the fur-trade, with an ample patent, was obtained by Chauvin; and Pontgravé, a merchant of St. Malo, shared the traffic. The voyage was repeated, for it was lucrative. The death of Chauvin prevented his settling a colony.

A firmer hope of success was entertained, when in 1603 a company of merchants of Rouen was formed by the governor of Dieppe; and Samuel Champlain, of Brouage, an able marine officer and a man of science, was selected to direct the expedition. By his natural disposition, "delighting marvellously in these enterprises," in the last year of the sixteenth century he had for a season engaged in the service of Spain, that he might make a

voyage to regions into which no Frenchman could otherwise have entered. He was in Porto Rico and St. Domingo and Cuba, visited the city of Mexico, and showed the benefits of joining the two oceans by a canal to Panama. He now became the father of New France. He possessed a clear and penetrating understanding, with a spirit of cautious inquiry; untiring perseverance, with great mobility; indefatigable activity, with fearless courage. The account of his first expedition to Canada gives proof of sound judgment, accurate observation, and historical fidelity. It is full of details on the manners of the savage tribes, not less than the geography of the country; and Quebec was already selected as the appropriate site for a fort.

In November, 1603, just after Champlain had re-  
<sup>1603.</sup> turned to France, an exclusive patent was issued to a  
<sup>Nov. 8.</sup> Calvinist, the able, patriotic, and honest De Monts. The sovereignty of Acadia and its confines, from the fortieth to the forty-sixth degree of latitude, that is, from Philadelphia to beyond Montreal; a still wider monopoly of the fur-trade; the exclusive control of the soil, government, and trade; freedom of religion for Huguenot emigrants,—these were the privileges which his charter conceded.

In March, 1604, two ships left the shores of France,  
<sup>1604.</sup> March 7. not to return till a permanent settlement should be made in America. The summer glided away, while the emigrants trafficked with the natives and explored the coasts. The harbor called Annapolis after its conquest by Queen Anne, an excellent harbor, though difficult of access, possessing a small but navigable river, which abounded in fish, and is bordered by beautiful meadows, so pleased Poutrincourt, a leader in the enterprise, that he sued for a grant of it from De Monts, and, naming it Port Royal, determined to reside there with his family. The company of De Monts made their first attempt at a settlement on the Island of St. Croix, at the mouth of the river of the same name. Yet the island was so ill suited to their purposes that, in spring, 1605, they removed to Port Royal.

For an agricultural colony, a milder climate was more desirable; in view of a settlement at the south, De Monts in the same year explored and claimed for France the rivers, especially the Merrimack, the coasts and the bays of New England, as far, at least, as Cape Cod. The numbers and hostility of the savages led him to delay a removal, since his colonists were so few. Yet the purpose remained. Thrice, in the spring of 1606, did Dupont, his lieutenant, attempt to complete the discovery. Twice he was driven back by adverse winds; and at the third attempt his vessel was wrecked. <sup>Aug. 23.</sup> Poutrincourt, who had visited France, and returned with supplies, himself renewed the design; but, <sup>Nov. 14.</sup> meeting with disasters among the shoals of Cape Cod, he, too, returned to Port Royal.

The possessions of Poutrincourt were in 1607 confirmed by Henry IV.; the apostolic benediction of the Roman pontiff followed families which exiled themselves to evangelize infidels; Mary of Medici herself contributed money to support the missions, which the Marchioness de Guercheville protected; and in 1610, by a compact with De Biencourt, the proprietary's son, the order of the Jesuits was enriched by an imposition on the fisheries and fur-trade.

The arrival of Jesuit priests in June, 1611, was signalized by conversions among the natives. In the following year, De Biencourt and Father Biart explored the coast as far as the Kennebec, and ascended that river. The Canibas, Algonkins of the Abenaki nations, touched by the confiding humanity of the French, listened reverently to the message of redemption; and, already hostile towards the English who had visited their coast, the tribes between the Penobscot and the Kennebec became the allies of France, and were cherished as a barrier against English encroachments.

A French colony within the United States followed, under the auspices of De Guercheville and Mary of Medici; in 1613 the rude intrenchments of St. Sauveur were raised by De Saussaye on the eastern shore of Mount Desert

Isle. The conversion of the heathen was the motive to the settlement; the natives venerated Biart as a messenger from Heaven; and under the summer sky, round a cross in the centre of the hamlet, matins and vespers were regularly chanted.

Meantime the remonstrances of French merchants had effected the revocation of the monopoly of De Monts, and a company of merchants of Dieppe and St. Malo had founded Quebec. The design was executed by Champlain, who aimed not at the profits of trade, but at the glory of founding 1608. a state. On the third day of July, 1608, he raised the white flag over Quebec; where rude cottages were soon framed, a few fields cleared, and one or two gardens planted. The next year, the bold adventurer, attended by two Europeans, joined a mixed party of Hurons from Montreal, and Algonkins from Quebec, in an expedition against the Iroquois, or Five Nations, in the north of New York. He ascended the Sorel, and explored the lake which bears his name. A battle with the Five Nations was fought near Ticonderoga.

The Huguenots had been active in plans of colonization. The death of Henry IV., in 1610, deprived them of their protector. Yet the zeal of De Monts survived, and he quickened the courage of Champlain. After the short supremacy of Charles de Bourbon, the Prince of Condé, an avowed protector of the Calvinists, became viceroy of New France; through his intercession, merchants of St. Malo, Rouen, and La Rochelle, obtained in 1615 a colonial patent from the king; and Champlain, now sure of success, embarked once more for the New World, accompanied by monks of the order of Saint Francis. Again he invaded the territory of the Iroquois in New York. Wounded and repulsed, and destitute of guides, he spent the first winter after his return to America in the country of the Hurons; and, wandering 1616. among the forests, carried his language, religion, and influence even to the hamlets of Algonkins, near Lake Nipising.

1617 to 1620. Religious disputes combined with commercial jealousies to check the progress of the colony; yet in the

summer of 1620, in obedience to the wishes of Montmorenci, the new viceroy, Champlain began a fort. <sup>1620. July.</sup> The merchants grudged the expense. "It is not best to yield to the passions of men," was his reply; "they sway but for a season; it is a duty to respect the future;" and in 1624 the castle St. Louis, so long the place of council against the Iroquois and against New England, <sup>1624.</sup> was durably founded on "a commanding cliff."

In the same year the viceroyalty was transferred to the religious enthusiast, Henry de Levi; and through his influence, in 1625, just a year after Jesuits had reached the sources of the Ganges and Thibet, the banks of the St. Lawrence received priests of the order, which was destined to carry the cross to Lake Superior and the west. <sup>1624. 1625.</sup>

The presence of Jesuits and Calvinists led to dissensions. The savages caused disquiet. But the persevering founder of Quebec appealed to the Royal Council and to Richelieu; and, though disasters intervened, <sup>1627.</sup> CHAMPLAIN successfully established the authority of the French on the banks of the St. Lawrence, in the territory which became his country. Dying on Christmas Day, 1635, "the father of New France" was buried in the land which he colonized. The humble industry of the fishermen of Normandy and Brittany promised their country the acquisition of an empire. <sup>1635.</sup>

## CHAPTER II.

## SPANIARDS IN THE UNITED STATES.

I HAVE traced the progress of events which, for a season, gave to France the uncertain possession of Acadia and Canada. The same nation laid claim to undefined regions at the southern extremity of our republic. But the right to Florida, on the ground of discovery, belonged to the Spanish, and was successfully asserted.

Extraordinary success had kindled in the Spanish nation an equally extraordinary enthusiasm. No sooner had the New World revealed itself to their enterprise, than valiant men, who had won laurels under Ferdinand among the mountains of Andalusia, sought a more remote career of adventure. The Spanish chivalry of the ocean despised the range of Europe as too narrow, and offering to their extravagant ambition nothing beyond mediocrity. Avarice and religious zeal were strangely blended; and the heroes of Spain sailed to the west, as if they had been bound on a new crusade, for which infinite wealth was to reward their piety. America was the region of romance, where the heated imagination could indulge in the boldest delusions; where the simple natives ignorantly wore the most precious ornaments; and, by the side of the clear runs of water, the sands sparkled with gold. What way soever, says the historian of the ocean, the Spaniards are called, with a beck only, or a whispering voice, to any thing rising above water, they speedily prepare themselves to fly, and forsake certainties under the hope of more brilliant success. To carve out provinces with the sword; to divide the wealth of empires; to plunder the accumulated treasures of some ancient Indian dynasty; to return from a roving expedition with a crowd of enslaved captives and a profusion of spoils,—soon became ordinary dreams. Ease, fortune, life, all were squandered in the pur-

suit where, if the issue was uncertain, success was sometimes obtained, greater than the boldest imagination had dared to anticipate. Is it strange that these adventurers were often superstitious? Or that they indulged the hope that the laws of nature themselves would yield to the desires of men so fortunate and so brave?

The youth of Juan Ponce de Leon had been passed in military service in Spain; and, during the wars in Granada, he had shared in the wild exploits of predatory valor. No sooner had the return of the first voyage across the Atlantic given an assurance of a New World, than he hastened to share in the dangers and the fruits of adventure in America. He was a fellow voyager of Columbus in his second expedition. In the wars of Hispaniola, he proved 1493. himself a gallant soldier; and Ovando had rewarded him with the government of the eastern province of that island. From the hills in his jurisdiction, he could behold, across the clear waters of a placid sea, the magnificent vegetation of Porto Rico through the transparent atmosphere of the tropics. A visit to the island 1508. stimulated his cupidity; and Ponce aspired to the government. In 1509, he obtained the station: inured to sanguinary war, he was inexorably severe in his administration: he oppressed the natives; he amassed wealth. But his commission as governor of Porto Rico conflicted with the claims of the family of Columbus; and policy, as well as justice, required his removal.

Yet age had not tempered his love of enterprise: he longed to advance his fortunes by the conquest of a kingdom, and to retrieve a reputation which was not without a blemish. Besides, the veteran soldier, whose cheeks had been furrowed by hard service, as well as by years, had heard, and had believed the tale, of a fountain which possessed virtues to renovate the life of those who should bathe in its stream. The tradition was credited in Spain, not by all the people and the court only, but by those who were distinguished for intelligence.

On the third of March, 1513, according to our present 1513. rule for beginning the year, Ponce embarked at Porto <sup>March 3.</sup>

Rico, with a squadron of three ships, fitted out at his own expense, for his voyage to the fabled land. He touched at Guanahani; he sailed among the Bahamas. On <sup>1513.</sup> ~~Mar. 27.~~ Easter Sunday, which the Spaniards call Pascua Florida, and which in that year fell on the twenty-seventh of March, land was seen. It was supposed to be an island, and received the name of Florida, from the day on which it was discovered, and from the aspect of the forests, which were then brilliant with the bloom of spring. After delay from bad weather, the aged soldier was able to go on shore, in the latitude of thirty degrees and eight minutes; some miles, therefore, to the north of St. Augustine. The territory was claimed for Spain. Ponce remained for many weeks to investigate the coast which he had discovered; though the currents of the gulf-stream, and islands, between which the channel was yet unknown, threatened shipwreck. He doubled Cape Florida; he sailed among the group which he named Tortugas; and, despairing of entire success, he returned to Porto Rico, leaving a trusty follower to continue the research, which extended far towards the Bay of Appalachee. The Indians had everywhere displayed determined hostility. Ponce de Leon remained an old man; but Spanish commerce acquired a new channel through the Gulf of Florida, and Spain a province, which imagination could esteem immeasurably rich, since its interior was unknown.

The government of Florida was the reward which Ponce received from the king of Spain; but the dignity was accompanied with the onerous condition that he should colonize

<sup>1514 to</sup> ~~1520.~~ the country which he was appointed to rule. Preparing rations in Spain, and an expedition against the Caribbee Indians, delayed his return to Florida. When, <sup>1521.</sup> in 1521, after a long interval, he proceeded with two ships to take possession of his province and select a site for a colony, his company was attacked by the Indians with implacable fury. Many Spaniards were killed; the survivors were forced to hurry to their ships; Ponce de Leon himself, mortally wounded by an arrow, returned to Cuba to die. So ended the adventurer, who had coveted im-

measurable wealth, and perpetual youth. The discoverer of Florida desired immortality on earth, and gained its shadow.

Meantime, commerce may have discovered a path to Florida; and in 1516, Diego Miruelo, a careless sea-captain, sailing from Havana, is said to have approached the coast, and trafficked with the natives. He could not tell distinctly in what harbor he had anchored; he brought home specimens of gold, obtained in exchange for toys; and his report swelled the rumors, already credited, of the wealth of the country. Florida had at once obtained a governor; it now constituted a part of a bishopric.

The expedition of Francisco Fernandez, of Cordova, leaving the port of Havana, and sailing west by south, discovered in 1517 the province of Yucatan and the Bay of Campeachy. He then turned his prow to the north; but, at a place where he had landed for supplies of water, his company was suddenly assailed, and he himself mortally wounded.

In 1518, the pilot whom Fernandez had employed conducted another squadron to the same shores; and Grijalva, the commander of the fleet, explored the coast from Yucatan towards Panuco. The masses of gold which he brought back, the rumors of the empire of Montezuma, its magnificence and its extent, heedlessly confirmed by the costly presents of the unsuspecting natives, were sufficient to inflame the coldest imagination, and excited the enterprise of Cortes. The voyage did not reach beyond the bounds of Mexico.

At that time Francisco de Garay, a companion of Columbus on his second voyage, and now famed for his opulence, was the governor of Jamaica. In the year 1519, after having heard of the richness and beauty of Yucatan, he at his own charge sent out four ships well equipped, and with good pilots, under the command of Alvarez Alonso de Pineda. His professed object was the search for some strait, west of Florida, which was not yet certainly known to form a part of the continent. The strait having been sought for in vain, his ships turned towards the west,

attentively examining the ports, rivers, inhabitants, and every thing else that seemed worthy of remark; and especially noticing the vast volume of water brought down by one very large river, till at last they came upon the track of Cortes near Vera Cruz. Between that harbor and Tampico they set up a pillar as the landmark of the discoveries of Garay. More than eight months were employed in thus exploring three hundred leagues of the coast, and taking possession of the country for the crown of Castile. The carefully drawn map of the pilots showed distinctly the Mississippi, which in this earliest authentic trace of its outlet bears the name of the Espiritu Santo. The account of the expedition having been laid before Charles V., a royal edict in 1521 granted to Garay the privilege of colonizing at his own cost the region which he had made known, from a point south of Tampico to the limit of Ponce de Leon, near the coast of Alabama. But Garay thought not of the Mississippi and its valley: he coveted access to the wealth of Mexico; and, in 1523, lost fortune and life ingloriously in a dispute with Cortes for the government of the country on the river Panuco.

1520. A voyage for slaves brought the Spaniards in 1520 still further to the north. A company of seven, of whom the most distinguished was Lucas Vasquez de Ayllon, fitted out two slave ships from St. Domingo, in quest of laborers for their plantations and mines. From the Bahama Islands, they passed to the coast of South Carolina, which was called Chicora. The Combahee River received the name of the Jordan; the name of St. Helena, given to a cape, now belongs to the sound. Gifts were interchanged with the natives, and the strangers received with confidence and hospitality. When at length the natives returned the visit of their guests, and covered the decks with cheerful throngs, the ships were got under way and steered for St. Domingo. The crime was unprofitable: in one of the returning ships, many of the captives sickened and died; the other foundered at sea.

Repairing to Spain, Vasquez boasted of his expeditions, as a title to reward; and the emperor, Charles V., acknowl-

edged his claim. In those days, the Spanish monarch conferred a kind of appointment which had its parallel in Roman history. Countries were distributed to be subdued; and Lucas Vasquez de Ayllon, after long entreaty, was appointed to the conquest of Chicora.

For this bolder enterprise the undertaker wasted his fortune in preparations; in 1525, his largest ship was stranded in the river Jordan; many of his men were killed by the natives; and he himself escaped only to suffer from the consciousness of having done nothing worthy of honor. Yet it may be that ships, sailing under his authority, made the discovery of the Chesapeake and named it the Bay of St. Mary; and perhaps even entered the Bay of Delaware, which in Spanish geography was called St. Christopher's.

In 1524, when Cortes was able to pause from his success in Mexico, he proposed to solve the problem of a north-west passage, of which he deemed the existence unquestionable. But his project of simultaneous voyages along the Pacific and the Atlantic coast remained but the offer of loyalty.

In the same year, Stephen Gomez, an able Portuguese seafarer, who had deserted Magellan in the very gate of the Pacific to return to Spain by way of Africa, solicited the Council of the Indies to send him in search of a strait at the north, between the land of the Bacallaos and Florida. Peter Martyr said at once that that region had been sufficiently explored, and derided his imaginings as frivolous and vain; but a majority of the suffrages directed the search. In January, 1525, as we now reckon, Gomez sailed from Corunna with a single ship, fitted out at the cost of the emperor king, under instructions to seek out the northern passage to Cathay. On the southern side of the Bacallaos, he came upon an unknown continent, trending to the west. He carefully examined some of the bays of New England; on an old Spanish map, that portion of our territory is marked as the Land of Gomez. He discovered the Hudson, probably on the thirteenth of June, for that is the day of Saint Antony,

whose name he gave to the river. When he became convinced that the land was continuous, he freighted his caravel in part with furs, in part with robust Indians for the slave-market; and brought it back within ten months from his embarkation, having found neither the promised strait nor Cathay. In November he repaired to Toledo, where he rendered his report to the youthful emperor, Charles V. The document is lost, but we know from the

<sup>1526-7.</sup> <sup>Feb.</sup> Summary of Oviedo, which was published in the second February after his return, that his examination

of the coast reached a little to the south of forty degrees of latitude. If these vague limits are to be strictly interpreted, he could not have entered the Bay of Delaware, nor the Chesapeake. The Spaniards scorned to repeat their voyages to the frozen north; in the south, and in the south only, they looked for "great and exceeding riches."

<sup>1525.</sup> But neither the fondness of the Spanish monarch

for extending his domains, nor the desire of the nobility for new governments, nor the passion of adventurers to go in search of wealth, would suffer the abandonment of Florida; and, in 1526, Pamphilo de Nar-

vaez, a man of no great virtue or reputation, obtained from Charles V. the contract to explore and reduce all the territory from the Atlantic to the river Palmas. This is he who had been sent by the jealous governor of Cuba to take Cortes prisoner, and had himself been easily defeated, losing an eye, and deserted by his own troops. "Esteem it great good fortune that you have taken me captive," said he to the man whom he had declared an outlaw; and Cortes replied: "It is the least of the things I have done in Mexico."

Narvaez, who was both rich and covetous, hazarded all his treasure on the conquest of his province; and sons of

<sup>1527.</sup> Spanish nobles and men of good condition flocked to his standard. In June, 1527, his expedition,

in which Alvar Nuñez Cabeza de Vaca held the second place as treasurer, left the Guadalquivir, touched at the Island of San Domingo, and during the following winter, amidst storms and losses, passed from port to port

on the southern side of Cuba, where the experienced Mieruelo was engaged as his pilot. In the spring of 1528, he doubled Cape San Antonio, and was standing in for Havana, when a strong south wind drove his fleet upon the American coast, and on the fourteenth of April, the day before Good Friday, he anchored in or near the outlet of the Bay of the Cross, now Tampa Bay.

On the day before Easter the governor landed, and in the name of Spain took possession of Florida. The natives kept aloof, or, if they drew near, marked by signs their impatience for his departure. But they had shown him samples of gold, which, if their gestures were rightly interpreted, came from the north. Disregarding, therefore, the most earnest advice of Cabeza de Vaca, he directed the ships to meet him at a harbor with which the pilot pretended acquaintance; and on the first of May, May. mustering three hundred men, of whom forty were mounted, he struck into the interior of the country. Then for the first time the floating peninsula, whose low sands, impregnated with lime, just lift themselves above the ocean on foundations laid by the coral worms, a country notched with bays and flooded with morasses, without hills, yet gushing with transparent fountains and watered by unfailing rivers, was traversed by white men, allured onwards by the prospect of gold.

The wanderers, as they passed along, gazed on trees astonishingly high, some riven from the top by lightning: the pine; the cypress; the sweet gum; the slender, gracefully tall palmetto; the humbler herbaceous palm, with its chaplet of crenated leaves; the majestic magnolia, glittering in the light; live oaks of such growth that, now that they are vanishing under the axe, men hardly believe the tales of their greatness; multitudes of birds of untold varieties; and quadrupeds of many kinds, among them the opossum, then noted for the pocket in its belly to house its young; the bear; more than one kind of deer; the panther, which was mistaken for the lion; but they found no rich town, nor a high hill, nor gold. When, on rafts and June. by swimming, they had painfully crossed the strong

current of the Withlochoochee, they were so worn away by famine as to give infinite thanks to God for lighting upon a field of unripe maize. Just after the middle of June, they encountered the Suwanee, whose wide, deep, and rapid stream delayed them till they could build a large canoe. Wading through swamps, made more terrible by immense trunks of fallen trees, that lay rotting in the water and sheltered the few but skilful native archers, on the day after Saint John's they came in sight of Appalachee, where they had pictured to themselves a populous town, and food, and treasure, and found only a hamlet of forty wretched cabins.

1528. July. Here they remained for five and twenty days, scouring the country round in quest of silver and gold, till, perishing with hunger and weakened by fierce attacks, they abandoned all hope but of an escape from a region so remote

Aug. and malign. Amidst increasing dangers, they went onward through deep lagoons and the ruinous forest

in search of the sea, till they came upon a bay, which they called Baia de Caballos, and which now forms the harbor of St. Mark's. No trace could be found of their ships; sustaining life, therefore, by the flesh of their horses and by six or seven hundred bushels of maize plundered from the Indians, they beat their stirrups, spurs, crossbows, and other implements of iron into saws, axes, and

Sept. nails; and in sixteen days finished five boats, each of twenty-two cubits, or more than thirty feet in length.

In calking their frail craft, films of the palmetto served for oakum, and they payed the seams with pitch from the nearest pines. For rigging, they twisted ropes out of horse hair and the fibrous bark of the palmetto; their shirts were pieced together for sails, and oars were shaped out of savins; skins flayed from horses served for water-bottles; it was difficult in the deep sand to find large stones for anchors and ballast. Thus equipped, on the twenty-second of September about two hundred and fifty men, all of the party whom famine, autumnal fevers, fatigue, and the arrows of the savage bowmen had spared, embarked for the river Palmas. Former navigators had traced the outline of the coast, but

among the voyagers there was not a single expert mariner. One shallop was commanded by Alonso de Castillo and Andres Dorantes, another by Cabeza de Vaca. The gun-wales of the crowded vessels rose but a hand-breadth above the water, till, after creeping for seven days through shallow sounds, Cabeza seized five canoes of the natives, out of which the Spaniards made guard boards for their five boats. During thirty days more they kept on <sup>1528.</sup> <sup>Oct.</sup> their way, suffering from hunger and thirst, imperilled by a storm, now closely following the shore, now avoiding savage enemies by venturing upon the sea. On the thirtieth of October, at the hour of vespers, Cabeza de Vaca, who happened to lead the van, discovered one of the mouths of the river now known as the Mississippi, and the little fleet was snugly moored among islands at a league from the stream, which brought down such a flood that even at that distance the water was sweet. They would have entered the "very great river" in search of fuel to parch their corn, but were baffled by the force of the current and a rising north wind. A mile and a half from land they sounded, and with a line of thirty fathoms could find no bottom. In the night following a second day's fruitless struggle to go up the stream, the boats were separated; but the next afternoon Cabeza, overtaking <sup>Nov.</sup> and passing Narvacz, who chose to hug the land, struck boldly out to sea in the wake of Castillo, whom he descried ahead. They had no longer an adverse current, and in that region the prevailing wind is from the east. For four days the half-famished adventurers kept prosperously towards the west, borne along by their rude sails and their labor at the oar. All the fifth of November an easterly storm drove them forward; and, on the morning of the sixth, the boat of Cabeza was thrown by the surf on the sands of an island, which he called the Isle of Malfiado, that is, of Misfortune. Except as to its length, his description applies to Galveston; his men believed themselves not far from the Panuco. The Indians of the place expressed sympathy for their shipwreck by howls, and gave them food and shelter. Castillo was cast away a little further to the

east; but he and his company were saved alive. Of the other boats, an uncertain story reached Cabeza; that one foundered in the gulf; that the crews of the two others gained the shore; that Narvaez was afterwards driven out to sea; that the stranded men began wandering towards the west; and that all of them but one perished from hunger.

Those who were with Cabeza and Castillo gradually wasted away from cold and want and despair; but Cabeza de Vaca, Dorantes, Castillo, and Estevanico, a blackamoor from Barbary, bore up against every ill, and, though scattered among various tribes, took thought for each other's welfare.

The brave Cabeza de Vaca, as self-possessed a hero as ever graced a fiction, fruitful in resources and never wasting time in complaints of fate or fortune, studied the habits and the languages of the Indians, accustomed himself to their modes of life; peddled little articles of commerce from tribe to tribe in the interior and along the coast for forty or fifty leagues, and won fame in the wilderness as a medicine man of wonderful gifts. In September, 1534,

after nearly six years' captivity, the great forerunner among the pathfinders across the continent inspired the three others with his own marvellous fortitude, and, naked and ignorant of the way, without so much as a single bit of iron, they planned their escape. Cabeza has left an artless account of his recollections of the journey; but his memory sometimes called up incidents out of their place, so that his narrative is confused. He pointed his course far inland, partly because the nations away from the sea were more numerous and more mild; partly that, if he should again come among Christians, he might describe the land and its inhabitants. Continuing his pilgrimage through more

than twenty months, sheltered from cold, first by deer-skins, then by buffalo robes, he and his companions passed through Texas as far north as the Canadian River, then along Indian paths, crossed the water-shed to the valley of the Rio Grande del Norte; and borne up by cheerful courage against hunger, want of water on the plains, cold

and weariness, perils from beasts and perils from red men, the voyagers went from town to town in New Mexico, westward and still to the west, till in May, 1536, they ~~were~~ drew near the Pacific Ocean at the village of San Miguel in Sonora. From that place they were escorted by Spanish soldiers to Compostella; and all the way to the city of Mexico they were entertained as public guests.

In 1530 an Indian slave had told wonders of the seven cities of Cibola, the Land of Buffaloes, that lay at the north between the oceans and beyond the desert, and abounded in silver and gold. The rumor had stimulated Nuño de Guzman, when president of New Spain, to advance colonization as far as Compostella and Guadalaxara: but the Indian story-teller died; Guzman was superseded; and the seven rich cities remained hid.

To the government of New Galicia, Antonio de Mendoza, the new viceroy, had named Francisco Vasquez Coronado. On the arrival of the four pioneers, he ~~1538.~~ hastened to Culiacan, taking with him Estevanico and Franciscan friars, one of whom was Marcus de Niza; and on the seventh of March, 1539, he ~~1539.~~ despatched them under special instructions from Mendoza to find Cibola. The negro, having rapidly hurried on before the party, provoked the natives by insolent demands, and was killed. On the twenty-second of the following September, Niza was again at Mexico, where he boasted that he had been as far as Cibola, though he had not dared to enter within its walls; that, with its terraced stone houses of many stories, it was larger and richer than Mexico; that his Indian guides gave him accounts of still more opulent towns. The priests promulgated in their sermons his dazzling report; the Spaniards in New Spain, trusting implicitly in its truth, burned to subdue the vaunted provinces; the wise and prudent Coronado, parting from his lovely young wife and vast possessions, took command of the enterprise; more young men of the proudest families in Spain rallied under his banner than had ever acted together in America; and the viceroy himself, sending Pedro de Alarcon up the coast with two ships and a

1540. tender, to aid the land party, early in 1540 went in person to Compostella to review the expedition before its departure; to distinguish the officers by his cheering attention; and to make the troops swear on a missal containing the gospels, to maintain implicit obedience, and never to abandon their chief. The army of three hundred Spaniards, part of whom were mounted, beginning its march with flying colors and boundless expectations, which the more trusty information collected by Melchior Diaz could not repress, was escorted by the viceroy for two days on its way. Never had so chivalrous adventurers gone forth to hunt the wilderness for kingdoms; every one of the officers seemed fitted to lead an expedition wherever danger threatened or hope allured. From Culiacan, the general, accompanied by fifty horsemen, a few foot soldiers, and his nearest friends, went in advance to Sonora and so to the north.

No sooner had the main body, with lance on the shoulder, carrying provisions, and using the chargers for pack-horses, followed Coronado from Sonora, than Melchior Diaz, selecting five-and-twenty men from the garrison left at that place, set off towards the west to meet Alarcon, who in the mean time had discovered the Colorado of the west, or, as he named it, the river of "Our Lady of Good Guidance." Its rapid stream could with difficulty be stemmed; but hauled by ropes, or favored by southerly winds, he ascended the river twice in boats before the end of September; the second time for a distance of four degrees, or eighty-five leagues, nearly a hundred miles, therefore, above the present boundary of the United States. His course was impeded by sand-bars; once, at least, it lay between rocky cliffs. His movements were watched by hundreds of natives, who were an exceedingly tall race, almost naked, the men bearing banners and armed with bows and arrows, the women cinctured with a woof of painted feathers or a deerskin apron; having for their food pumpkins, beans, flat cakes of maize baked in ashes, and bread made of the pods of the mezquite tree. Ornaments hung from their ears and pierced noses; and the warriors, smeared with bright colors, wore

crests cut out of deerskin. Alarcon, who called himself the messenger of the sun, distributed among them crosses; took formal possession of the country for Charles V.; collected stories of remoter tribes that were said to speak more than twenty different languages; but, hearing nothing of Coronado, he sailed back to New Spain, having ascertained that Lower California is not an island, and having in part explored the great river of the west. Fifteen leagues above its mouth, Melchior Diaz found a letter which Alarcon had deposited under a tree, announcing his discoveries and his return. Failing of a junction, Diaz went up the stream for five or six days, then crossed it on rafts, and examined the country that stretched towards the Pacific. An accidental wound cost him his life; his party returned to Sonora.

Nearly at the same time, the Colorado was discovered at a point much further to the north. The movements of the general and his companions were rapid and daring. Disappointment first awaited them at Chichilti-Calli, the village on the border of the desert, which was found to consist of one solitary house, built of red earth, without a roof and in ruins. Having in fifteen days toiled through the desert, they came upon a rivulet, which, from the reddish color of its turbid waters, they named Vermilion; and the next morning, about the eleventh of May, they reached the town of Cibola, which the natives called Zuñi. A single glance at the little village, built upon a rocky table, that rose precipitously over the sandy soil, revealed its poverty and the utter falsehood of the Franciscan's report. The place, to which there was no access except by a narrow winding road, contained two hundred warriors; but in less than an hour it yielded to the impetuosity of the Spaniards. They found there provisions which were much wanted, but neither gold, nor precious stones, nor rich stuffs; and Niza, trembling for his life, stole back to New Spain with the first messenger to the viceroy.

As the other cities of Cibola were scarcely more considerable than Zuñi, Coronado despatched Pedro de Tobar with a party of horse to visit the province of Tusayan, that is, the seven towns of Moqui; and he soon returned with

the account that they were feeble villages of poor Indians, who sought peace by presents of skins, mantles of cotton, and maize. On his return, Garcí Lopez de Cárdenas, with twelve others, was sent on the bolder enterprise of exploring the course of the rivers. It was the season of summer as they passed the Moqui villages, struck across the desert, and winding for twenty days through volcanic ruins and arid wastes, dotted only with dwarf pines, reached an upland plain, through which the waters of the Colorado have cleft an abyss for their course. By the party who first gazed down the interminable cliff, the precipice was described as being higher than the side of the highest mountain; the broad, surging torrent below seemed not more than a fathom wide. Two men attempted to descend into the terrible chasm, but, after toiling through a third of the way to the bottom, they climbed back, saying that a massive block, which from the summit seemed no taller than a man, was higher than the tower of the cathedral at Seville. In no other part of the continent has there been found so deep a gulf, hollowed out by a river for its channel, where nature lays bare the processes of countless time, as written on the rocky bank that rises precipitously more than a mile in height. The party, on their way back to Zuñi, saw where the little Colorado at two leaps clears a vertical wall of a hundred and twenty feet.

Thus far, every stream found by the Spaniards flowed to the Gulf of California. In the summer of 1540, before the return of Cárdenas, Indians appeared at Zuñi from a province called Cicuyé, seventy leagues towards the east, in the country of cattle whose hair was soft and curling like wool. A party under Hernando Alvarado went with the returning Indians. In five days they reached Acoma, which was built on a high cliff, accessible only by a ladder of steps cut in the rock, having on its top land enough to grow maize, and cisterns to catch the rain and snow. Here the Spaniards received gifts of game, deerskins, bread, and maize.

Three other days brought Alvarado to Tiguex, in the valley of the Rio del Norte, just below Albuquerque, perhaps not far from Isletta; and in five days more he reached

Cicuyé, on the river Pecos. But he found there nothing of note, except an Indian who told of Quivira, a country to the north-east, the real land of the buffalo, abounding in gold and silver, and watered by tributaries of a river which was two leagues wide.

The Spanish camp for the winter was established near Tiguex; there Alvarado brought the Indian who professed to know the way to Quivira; there Coronado himself appeared, after a tour among eight more southern villages; and there his army, which had reached Zuñi without loss, arrived in December, suffering on its march from storms of snow and cold.

The people who had thus far been discovered had a civilization intermediate between that of the Mexicans and the tribes of hunters. They dwelt in fixed places of abode, built for security against roving hordes of savages, on tables of land that spread out upon steep natural castles of sand-stone. Each house was large enough to contain three or four hundred persons, and consisted of one compact parallelogram, raised of mud, hardened in the sun, or of stones, cemented by a mixture of ashes, earth, and charcoal for lime; usually three or four stories high, with terraces, inner balconies and a court, having no entrance on the ground floor; accessible from without only by ladders, which in case of alarm might be drawn inside. All were equal. There was no king or chief exercising supreme authority; no caste of nobles or priests; no human sacrifices; no cruel rites of superstition; no serfs or class of laborers or slaves; they were not governed much; and that little government was in the hands of a council of old men. A subterranean heated room was the council-chamber. They had no hieroglyphics like the Mexicans, nor calendar, nor astronomical knowledge. Bows and arrows, clubs and stones, were their weapons of defence; they were not sanguinary, and they never feasted on their captives. Their women were chaste and modest; adultery was rare; polygamy unknown. Maize, beans, pumpkins, and, it would seem, a species of native cotton, were cultivated; the mezquite tree furnished bread. The dress was of skins or cotton mantles. They possessed

nothing which could gratify avarice ; the promised turquoises were valueless blue stones.

Unwilling to give up the hope of discovering an 1541. opulent country, on the twenty-third of April, 1541, Coronado, with the false Indian as the pilot of his detachment, began a march to the north-east. Crossing the track of Cabeza de Vaca, in the valley of the Canadian River, they came in nine days upon plains, which seemed to have no end, and where countless prairie dogs peered on them from their burrows. Many pools of water were found impregnated with salt, and bitter to the taste. The wanderings of the general, extending over three hundred leagues, brought him among the Querechos, hunters of the bison, which gave them food and clothing, strings to their bows and coverings to their lodges. They had dogs to carry their tents when they moved, but they knew of no wealth but the products of the chase, and they migrated with the wild herds. The Spaniards came once upon a prairie that was broken neither by rocks nor hills, nor trees nor shrubs, nor any thing which could arrest the eye as it followed the sea of grass to the horizon. In the hollow ravines there were trees, which could be seen only by approaching the steep bank ; the path for descending to the water was marked by the tracks of the bison. Here some of the Teyas nation from the valley of the Rio Grande del Norte were found hunting. The governor, sending back the most of his men, with a chosen band journeyed on for forty-two days longer ; having no food but the meat of buffaloes, and no fuel but their dung. At last he reached the province, which, apparently from some confusion of names, he was led to call Quivira, and which lay in forty degrees north latitude, unless he may have erred one or two degrees in his observations. It was well watered by brooks and rivers, which flowed to what the Spaniards then called the Espiritu Santo ; the soil was the best strong, black mould, and bore plums like those of Spain, nuts, grapes, and excellent mulberries. The inhabitants were savages, having no culture but of maize ; no metal but copper ; no lodges but of straw or of bison skins ; no clothing but buffalo robes. Here, on the bank of a great

tributary of the Mississippi, a cross was raised with this inscription: "Thus far came Francisco Vasquez de Coronado, general of an expedition."

After a still further search for rich kingdoms, and after the Rio Grande del Norte had been explored by parties from the army for twenty leagues above its tributary, the Jemez, and for an uncertain distance below El Paso, the general, returning to Tiguex, on the twentieth of October, 1541, reported to Charles V. that, poor as were the villages on the Great River of the North, nothing better had been found, and that the region was not fit to be colonized. Persuaded that no discoveries could be made of lands rich in gold or thickly enough settled to be worth dividing as estates, Coronado, in 1542, with the hearty concurrence of his officers, returned to New Spain. His failure to find a Northern Peru threw him out of favor; yet what could have more deserved applause than the courage and skill of the men who thoroughly examined and accurately portrayed the country north of Sonora, from what is now Kansas on the one side to the chasm of the Colorado on the other?

The expedition from Mexico had not been begun, when, in 1537, Cabeza de Vaca, landing in Spain, 1537. addressed to the imperial Catholic king a narrative of his adventures, that they might serve as a guide to the men who should go under the royal banners to conquer those lands; and the tales of "the Columbus of the continent" quickened the belief that the country between the river Palmas and the Atlantic was the richest in the world.

The assertion was received even by those who had seen Mexico and Peru. To no one was this faith more disastrous than to Ferdinand de Soto, of Xeres. He had been the favorite companion of Pizarro, and at the storming of Cusco had surpassed his companions in arms. He assisted in arresting the unhappy Atahualpa, and shared in the immense ransom with which the credulous Inca purchased the promise of freedom. Perceiving the angry jealousies of the conquerors of Peru, Soto had seasonably withdrawn, to display his opulence in Spain, and to solicit advancement. His re-

ception was triumphant; success of all kinds awaited him. The daughter of the distinguished nobleman, under whom he had first served as a poor adventurer, became his wife; and the special favor of Charles V. invited his ambition to prefer a large request. It had been believed that the depths of the continent at the north concealed cities as magnificent and temples as richly endowed as any which had yet been plundered within the tropics. Soto desired to rival Cortes in glory, and surpass Pizarro in wealth. Blinded by avarice and the love of power, he repaired to Valladolid, and demanded permission to conquer Florida at his own cost; and Charles V. readily conceded to so renowned a commander the government of Cuba, with absolute power over the immense territory to which the name of Florida was still vaguely applied.

No sooner was the design of the new expedition published in Spain, than the wildest hopes were indulged. How brilliant must be the prospect, since even the conqueror of Peru was willing to hazard his fortune and the greatness of his name! Adventurers assembled as volunteers, many of them people of noble birth and good estates. Houses and vineyards, lands for tillage, and rows of olive-trees in the

Ajarrafe of Seville, were sold, as in the times of the 1538. crusades, to obtain the means of military equipments.

The port of San Lucar of Barrameda was crowded with those who hastened to solicit permission to share in the enterprise. Even soldiers of Portugal desired to be enrolled for the service. A muster was held: the Portuguese glittered in burnished armor; and the Castilians were "very gallant with silk upon silk." From the numerous aspirants, Soto selected for his companions six hundred men in the bloom of life, the flower of the peninsula; many persons of good account, who had sold estates for their equipments, were obliged to remain behind.

The fleet sailed as gayly as if on a holiday excursion of a bridal party. In Cuba, the precaution was used to send vessels to Florida to explore a harbor; and two Indians, brought captives to Havana, invented such falsehoods as they perceived would be acceptable. They conversed by

signs; and the signs were interpreted as affirming that Florida abounded in gold. The news spread great contentment; Soto and his troops restlessly longed for the hour of their departure to the conquest of "the richest country which had yet been discovered." The infection spread in Cuba; and Vasco Porcallo, an aged and a wealthy man, lavished his fortune in magnificent equipments.

Soto had been welcomed in Cuba by long and brilliant festivals and rejoicings. In May, 1539, all preparations were completed; leaving his wife to govern the island, he and his company, full of unbounded expectations, embarked for Florida; and in about a fortnight his fleet anchored in the Bay of Spiritu Santo. The soldiers went on shore; the horses, between two and three hundred in number, were disembarked. Soto would listen to no augury but that of success; and, like Cortes, he refused to retain his ships, lest they should tempt to a retreat. Most of them were sent to Havana. Porcallo grew alarmed. It had been a principal object with him to obtain slaves for his estates and mines in Cuba; despairing of success, he sailed for the island after the first skirmish. Soto was indignant at the desertion, but concealed his anger.

And now began the nomadic march of the adventurers; horsemen and infantry, completely armed; a force exceeding in numbers and equipments the famous expeditions against the empires of Mexico and Peru. Every thing was provided that experience in former invasions could suggest: chains for captives, and the instruments of a forge; weapons of all kinds then in use, and bloodhounds as auxiliaries against the natives; ample stores of food, and, as a last resort, a drove of hogs, which would soon swarm in the favoring climate, where the forests and maize furnished abundant sustenance. It was a roving expedition of gallant freebooters in quest of fortune. It was a romantic stroll of men whom avarice rendered ferocious, through unexplored regions, over unknown paths, wherever rumor might point to the residence of some chieftain with more than Peruvian wealth, or the ill-interpreted signs of the ignorant natives might seem to promise gold. Often, at the resting-places,

groups of listless adventurers clustered together to enjoy the excitement of desperate gaming. Religious zeal was also united with avarice: twelve priests, besides other ecclesiastics, accompanied the expedition. Ornaments for the service of mass were provided; every festival was to be kept; every religious practice to be observed. As the troop marched through the wilderness, the solemn processions, which the usages of the church enjoined, were scrupulously instituted. Florida was to become Catholic during scenes of robbery and carnage.

The wanderings of the first season, from June to 1539. June to October, brought the company from the Bay of Spir-Oct. 27. itu Santo to the home of the Appalachians, east of the Flint River, and not far from the head of the Bay of Appalachee. The names of the intermediate places cannot be identified. The march was tedious and full of dangers. The Indians were always hostile; the two captives of the former expedition escaped; a Spaniard, who had been kept in slavery from the time of Narvaez, could give no accounts of any land where there was silver or gold. The guides would purposely lead the Castilians astray, and involve them in morasses; even though death, under the fangs of the bloodhounds, was the certain punishment. The whole company grew dispirited, and desired the governor to return, since the region opened no brilliant prospects. "I will not turn back," said Soto, "till I have seen the poverty of the country with my own eyes." The hostile Indians, who were taken prisoners, were in part put to death, in part enslaved. These were led in chains, with iron ~~collars~~ about their necks; their service was to grind the maize and to carry the baggage. An exploring party discovered Ochus, the harbor of Pensacola; and a message was transmitted to Cuba, desiring that in the ensuing year supplies for the expedition might be sent to that place.

Early in the spring of the following year, the wan-1540. derers renewed their march, with an Indian guide, Mar. 3. who promised to lead the way to a country governed, it was said, by a woman, and where gold so abounded that the art of melting and refining it was understood. He

described the process so well that the credulous Spaniards took heart. The Indian appears to have pointed towards the gold region of North Carolina. The adventurers, therefore, eagerly hastened to the north-east; they passed the Alatamaha; they admired the fertile valleys of Georgia, rich, productive, and full of good rivers. They crossed a northern tributary of the Alatamaha and a southern branch of the Ogeechee; and, at length, came upon the Ogeechee itself, which, in April, flowed with a full channel and a strong current. Much of the time the Spaniards were in wild solitudes; they suffered for want of salt and of meat. Their Indian guide affected madness; but "they said a gospel over him, and the fit left him." Again he involved them in pathless wilds; and then he would have been torn in pieces by the dogs, if he had not still been needed to assist the interpreter. Of four Indian captives, who were questioned, one bluntly answered, he knew no country such as they described; the governor ordered him to be burnt, for what was esteemed his falsehood. The sight of the execution quickened the invention of his companions; and the Spaniards made their way to the small Indian settlement of Cutifa-Chiqui. A dagger and a rosary were found here; the story of the Indians traced them to the expedition of Vasquez de Ayllon; and a two days' journey would reach, it was believed, the harbor of St. Helena. The soldiers thought of home, and desired either to make a settlement on the fruitful soil around them, or to return. The governor was "a stern man, and of few words." Willingly hearing the opinions of others, he was inflexible, when he had once declared his own mind; and all his followers, "condescending to his will," continued to indulge delusive hopes.

In May the direction of the march was to the north; to the comparatively sterile country of the Cherokees, and in part through a district in which gold is now found. The inhabitants were poor, but gentle; they offered such presents as their habits of life permitted,—deerskins and wild hens. Soto could hardly have crossed the mountains, so as to enter the basin of the Tennessee

River; it seems, rather, that he passed from the head-waters of the Savannah or the Chattahoochee to the head-waters of the Coosa. The name of Canasauga, a village at which he halted, is still given to a branch of the latter stream. For several months, the Spaniards were in the valleys which send their waters to the Bay of Mobile. Chiaha was an island distant about a hundred miles from Canasauga. An exploring party which was sent to the north were appalled by the aspect of the Appalachian chain, and pronounced the mountains impassable. They had looked for mines of copper and gold; and their only plunder was a buffalo robe.

<sup>1540.</sup> In the latter part of July, the Spaniards were at <sup>July 26.</sup> Coosa. In the course of the season, they had occasion to praise the wild grape of the country, the same, perhaps, which has since been thought worthy of culture, and to admire the luxuriant growth of maize, which was spring-

<sup>Oct. 18.</sup> ing from the fertile plains of Alabama. A southerly direction led the train to Tuscaloosa; in October the wanderers reached a considerable town on the Alabama, above the junction of the Tombigbee, and about one hundred miles, or six days' journey, from Pensacola. The village was called Mavilla, or Mobile, a name which is now applied not to the bay only, but to the river, after the union of its numerous tributaries. The Spaniards, tired of lodging in the fields, desired to occupy the cabins; the Indians rose to resist the invaders, whom they distrusted and feared. A battle ensued; the terrors of cavalry gave the victory to the Spaniards. I know not if a more bloody Indian fight ever occurred on the soil of the United States: the town was set on fire; and a witness of the scene, doubtless greatly exaggerating the loss, relates that two thousand five hundred Indians were slain, suffocated, or burnt. They had fought with desperate courage; and, but for the flames, which consumed their light and dense settlements, they would have effectually repulsed the invaders. "Of the Christians, eighteen died;" one hundred and fifty were wounded with arrows; twelve horses were slain, and seventy hurt. The flames had not spared the baggage of the

Spaniards; it was within the town, and was entirely consumed.

Meanwhile, ships from Cuba had arrived at Ochus, now Pensacola. Soto had made no important discoveries; he had gathered no tempting stores of silver and gold; the fires of Mobile had consumed his curious collections; with resolute pride he determined to send no news of himself, until, like Cortes, he had found some rich country.

The region above the mouth of the Mobile was populous and hostile, and yet too poor to promise plunder.

Soto retreated towards the north; his troops already reduced, by sickness and warfare, to five hundred

<sup>1540.</sup>  
Nov. 18.

men. A month passed away before he reached winter-quarters at Chicaça, a small town in the country of the Chickasaws, in the upper part of the

<sup>Dec. 17.</sup>

state of Mississippi; probably on the western bank of the Yazoo. The weather was severe, and snow fell; but maize

was yet standing in the open fields. The Spaniards were able to gather a supply of food, and the deserted

<sup>1541.</sup>

town, with such rude cabins as they added, afforded them shelter through the winter. Yet no mines of Peru

were discovered; no ornaments of gold adorned the rude savages; their wealth was the harvest of corn, and wigwams

were their only palaces; they were poor and independent; they were hardy and loved freedom. When

<sup>March.</sup>

spring opened, Soto, as he had usually done with other tribes, demanded of the chieftain of the Chickasaws two hundred men to carry the burdens of his company.

The Indians hesitated. Human nature is the same in every age and in every climate. Like the inhabitants of Athens in the days of Themistocles, or those of Moscow of a recent day, the Chickasaws, unwilling to see strangers and enemies

occupy their homes, in the dead of night, deceiving the sentinels, set fire to their own village, in which the Castilians

were encamped. On a sudden, half the houses were in flames; and the loudest notes of the war-whoop rung through the air. The Indians, could they have acted with calm bravery, might have gained an easy and entire victory;

but they trembled at their own success, and feared the un-

equal battle against weapons of steel: Many of the horses had broken loose; these, terrified and without riders, roamed through the forest, of which the burning village illuminated the shades, and seemed to the ignorant natives the gathering of hostile squadrons. Others of the horses perished in the stables; most of the swine were consumed; eleven of the Christians were burnt, or lost their lives in the tumult. The clothes which had been saved from the fires of Mobile were destroyed, and the Spaniards, now as naked as the natives, suffered from the cold. Weapons and equipments were consumed or spoiled. Had the Indians made a resolute onset on this night or the next, the Spaniards would have been unable to resist. But, in a respite of a week, forges were erected, swords newly tempered, and good ashen lances were made, equal to the best of Biscay.

<sup>1541.</sup>  
Mar. 15. When the Indians attacked the camp, they found  
\* "the Christians" prepared.

The disasters which had been encountered served only to confirm the obstinacy of the governor, by wounding his pride. Should he, who had promised greater booty than Mexico or Peru had yielded, now return as a defeated fugitive, so naked that his troops were clad only in skins and mats of ivy? The search for some wealthy region was renewed; the caravan marched still further to the west. For seven days it struggled through a wilderness of forests and marshes; and, at length, came to Indian settlements in the vicinity of the Mississippi. The lapse of nearly three centuries has not changed its character; it was then described as more than a mile broad; flowing with a strong current, and by its weight forcing a channel of great depth. In the water, which was always muddy, trees and timber were continually floating down.

The Spaniards were guided by natives to one of the usual crossing-places, probably at the lowest Chickasaw bluff, not far from the thirty-fifth parallel of latitude. The arrival of the strangers awakened curiosity and fear. A multitude of people from the western banks of the river, painted and gayly decorated with great plumes of white feathers, the warriors standing in rows with bow and arrows

in their hands, the chieftains sitting under awnings as magnificent as the artless manufactures of the natives could weave, came rowing down the stream in a fleet of two hundred canoes, seeming to the admiring Spaniards "like a fair army of galleys." They brought gifts of fish, and loaves made of the fruit of the persimmon. At first they showed some desire to offer resistance; but, soon becoming conscious of their relative weakness, they ceased to defy an enemy who could not be overcome, and suffered injury without attempting open retaliation. The boats of the natives were too weak to transport horses; almost a month expired before barges, large enough to hold three horsemen each, were constructed for crossing the river. At length, 1541.  
May. the Spaniards embarked upon the Mississippi, and were borne to its western bank.

Dakota tribes then occupied the country south-west June. of the Missouri; Soto had heard its praises; he believed in its vicinity to mineral wealth; and he determined to visit its towns. In ascending the Mississippi, the party was often obliged to wade through morasses; at length they came, as it would seem, upon the district of Little Prairie, and the dry and elevated lands which extend towards New Madrid. Here the Spaniards were adored as children of the sun, and the blind were brought into their presence, to be healed by the sons of light. "Pray only to God, who is in heaven, for whatsoever ye need," said Soto in reply. The wild fruits of that region were abundant; the pecan nut, the mulberry, and two kinds of wild plums, furnished the natives with articles of food. At Pacaha, the June 19.  
to July 29. northernmost point which Soto reached near the Mississippi, he remained forty days. The spot cannot be identified; but the accounts of the amusements of the Spaniards confirm the truth of the narrative of their rambblings. Fish were taken, such as are now found in the fresh waters of that region; one of them, the spade fish, the strangest and most whimsical production of the muddy streams of the west, so rare that, even now, it is hardly to be found in any museum, is accurately described by the best historian of the expedition.

An exploring party, which was sent to examine the regions to the north, reported that they were almost a desert. The country still nearer the Missouri was said by the Indians to be thinly inhabited; the bison abounded there so much that no maize could be cultivated; and the

few inhabitants were hunters. Soto turned, therefore, to the west and north-west, and plunged still

more deeply into the interior of the continent. The highlands of White River, more than two hundred miles from the Mississippi, were probably the limit of his ramble in this direction. The mountains offered neither gems nor gold; and the disappointed adventurers marched to the south. They passed through a succession of towns, of which the position cannot be fixed; till, at length, we find them among the Tunicas, near the hot springs and saline tributaries of the Washita. It was at Autiamque, a town on the same river, that they passed the winter; they had arrived at the settlement through the country of the Kappaws.

The native tribes, everywhere on the route, were found in a state of civilization beyond that of nomadic hordes. They were an agricultural people, with fixed places of abode, and subsisted upon the produce of the fields, more than upon the chase. Ignorant of the arts of life, they could offer no resistance to their unwelcome visitors; the bow and arrow were the most effective weapons with which they were acquainted. They seem not to have been turbulent or quarrelsome; but as the population was moderate, and the earth fruitful, the tribes were not accustomed to contend with each other for the possession of territories. Their dress was, in part, mats wrought of ivy and bulrushes, of the bark and lint of trees; in cold weather, they wore mantles woven of feathers. The settlements were by tribes; each tribe occupied what the Spaniards called a province; their villages were generally near together, but were composed of few habitations. The Spaniards treated them with no other forbearance than their own selfishness demanded, and enslaved such as offended, employing them as porters and guides. On a slight suspicion, they would cut

off the hands of numbers of the natives, for punishment or intimidation; the young cavaliers, from desire of seeming valiant, took delight in cruelties and carnage. The guide who was unsuccessful, or who purposely led them away from the settlements of his tribe, would be seized and thrown to the hounds. Sometimes a native was condemned to the flames. Any trifling consideration of safety would induce the governor to set fire to a hamlet. The happiness, the life, and the rights of the Indians, were held of no account. The approach of the Spaniards was heard with dismay; and their departure hastened by the suggestion of wealthier lands at a distance.

In the spring of the following year, Soto determined to descend the Washita to its junction, and to get tidings of the sea. As he advanced, he was soon lost amidst the bayous and marshes which are found along the Red River and its tributaries. Near the Mississippi, he came upon the country of Nilco, which was well peopled. The river was there larger than the Guadalquivir at Seville. At last, he arrived at the province where the Washita, already united with the Red River, enters the Mississippi. The province was called Guachoya. Soto anxiously inquired the distance to the sea: the chieftain of Guachoya could not tell. Were there settlements extending along the river to its mouth? It was answered that its lower banks were an uninhabited waste. Unwilling to believe so disheartening a tale, Soto sent one of his men, with eight horsemen, to descend the banks of the Mississippi, and explore the country. They travelled eight days, and were able to advance not much more than thirty miles, they were so delayed by the frequent bayous, the impassable canebrakes, and the dense woods. The governor received the intelligence with anxiety. His horses and men were dying around him, so that the natives were becoming dangerous enemies. He attempted to overawe a tribe of Indians near Natchez by claiming a supernatural birth, and demanding obedience and tribute. "You say you are the child of the sun," replied the undaunted chief; "dry up the river, and I will believe you. Do you desire

to see me? Visit the town where I dwell. If you come in peace, I will receive you with special good-will; if in war, I will not shrink one foot back." But Soto was no longer able to abate the confidence or punish the temerity of the natives. His stubborn pride was changed by long disappointments into a wasting melancholy; and his health sunk rapidly and entirely under a conflict of emotions. A malignant fever ensued, during which he had little comfort, and was neither visited nor attended as the last hours of life demand. Believing his death near at hand, he held the last interview with his faithful followers; and, yielding to

<sup>1542.</sup>  
<sup>May 21.</sup> the wishes of his companions, who obeyed him to the end, he named a successor. On the next day he died. Thus perished Ferdinand de Soto, the governor of Cuba, the successful associate of Pizarro. His miserable end was the more observed, from the greatness of his former prosperity. His soldiers pronounced his eulogy by grieving for their loss; the priests chanted over his body the first requiems that were ever heard on the waters of the Mississippi. To conceal his death, his body was wrapped in a mantle, and in the stillness of midnight was silently sunk in the middle of the stream. The wanderer had crossed a large part of the continent in search of gold, and found nothing so remarkable as his burial-place.

No longer guided by the energy and pride of Soto, June. the company resolved on reaching New Spain without delay. Should they embark in such miserable boats as they could construct, and descend the river? Or should they seek a path to Mexico through the forests? They were unanimous in the opinion that it was less dangerous to go by land; the hope was still cherished that some wealthy state, some opulent city, might yet be discovered, and all fatigues be forgotten in the midst of victory and spoils. Again they penetrated the western wilderness; in July, they found themselves in the country of the Natchitoches; but the Red River was so swollen that it was impossible for them to pass. They soon became bewildered. As they proceeded, the Indian guides purposely led them astray; "they went up and down through very

great woods," without making any progress. The wilderness, into which they had at last wandered, was sterile and scarcely inhabited; they had now reached the great buffalo prairies of the west, the hunting-grounds of the Pawnees and Comanches, the migratory tribes on the confines of Mexico. The Spaniards believed themselves to be at least one hundred and fifty leagues west of the Mississippi. Desperate as the resolution seemed, it was determined to return once more to its banks, and follow its current to the sea. There were not wanting men, whose hopes and whose courage were not yet exhausted, who wished rather to die in the wilderness than to leave it in poverty; but Moscoso, the new governor, had long "desired to see himself in a place where he might sleep his full sleep."

They came upon the Mississippi at Minoya, a few <sup>1542.</sup> leagues above the mouth of Red River, often wading <sup>Dec.</sup> through deep waters, and grateful to God if, at night, they could find a dry resting-place. The Indians whom they had enslaved died in great numbers; in Minoya, the Christians were attacked by a dangerous epidemic, and many died.

Nor was the labor yet at an end; it was no easy task <sup>1543.</sup> for men in their condition to build brigantines. Erect-<sup>Jan. to July.</sup> ing a forge, they struck off the fetters from the slaves; and, gathering every scrap of iron in the camp, they wrought it into nails. Timber was sawed by hand with a large saw, which they had always carried with them. They calked their vessels with a weed like hemp; barrels, capable of holding water, were with difficulty made; to obtain supplies of provision, all the hogs and even the horses were killed, and their flesh preserved by drying; and the neighboring townships of Indians were so plundered of their food that the miserable inhabitants would come about the Spaniards begging for a few kernels of their own maize, and often died from weakness and want of food. The rising of the Mississippi assisted the launching of the seven brigantines; they were frail barks, which had no decks; and as, from the want of iron, the nails were of necessity short, they were constructed of very thin planks, so that any severe shock would

1543.  
July 2-18. have broken them in pieces. Thus provided, after a passage of seventeen days, the fugitives, on the eighteenth of July, reached the Gulf of Mexico ; the distance seemed to them two hundred and fifty leagues, and was not much less than five hundred miles. They were the first to observe that for some distance from the mouth of the Mississippi the sea is not salt, so great is the volume of fresh water which the river discharges. Following, for the most part, the coast, it was more than fifty days before the men, who finally escaped, now no more than three hundred and eleven in number, on the tenth of Sept. 10. September entered the river Panuco.

Such is the history of the first voyage of Europeans on the Mississippi ; the honor of the discovery belongs to the Spaniards. There were not wanting adventurers

1544. who, in 1544, desired to make one more attempt to possess the country by force of arms ; their request was refused. Religious zeal was more persevering ;

1547.  
Dec. 28. in December, 1547, Louis Canello, a missionary of the Dominican order, gained, through Philip, then heir apparent in Spain, permission to visit Florida, and attempt the peaceful conversion of the natives. Christianity was to conquer the land against which so many experienced warriors had failed. The Spanish governors were directed to favor the design ; all slaves, that had been taken from the northern shore of the Gulf of Mexico, were to be

1549. manumitted and restored to their country. In 1549 a ship was fitted out with much solemnity ; but the priests, who sought the first interview with the natives, were feared as enemies, and, being immediately attacked, Louis and two others fell martyrs to their zeal.

Death seemed to guard the approaches to that land. While the Castilians were everywhere else victorious, they were driven for a time to abandon the soil of Florida, after it was wet with their blood. But under that name they continued to claim all North America, even as far as Canada and Newfoundland. No history exists of their early exploration of the coast, nor is even the name of the Spanish navigator ascertained, who, between the years 1524 and

1540, discovered the Chesapeake, and made it known as "the Bay of St. Mary." Under that appellation the historian Oviedo, writing a little after 1540, describes it as opening to the sea in the latitude of thirty-six degrees and forty minutes, and as including islands ; of two rivers which it receives, he calls the north-eastern one Salt River ; the other, the river of the Holy Ghost ; the cape to the north of it, which he places in the latitude of thirty-seven degrees, he names Cape St. John. The Bay of St. Mary is marked on all Spanish maps, after the year 1549. But as yet not a Spanish fort was erected on the Atlantic coast, not a harbor was occupied, not one settlement was begun. The first permanent establishment of the Spaniards in Florida was the result of jealous bigotry.

For France had begun to settle the region with a colony of Protestants ; and Calvinism, which, with the special co-operation of Calvin himself, had for a short season occupied the coasts of Brazil and the harbor of Rio Janeiro, was now to be planted on the borders of Florida. Coligny had long desired to establish a refuge for the Huguenots, and a Protestant French empire, in America. Disappointed in his first effort, by the apostasy and faithlessness of his agent, Villegagnon, he still persevered ; moved alike by religious zeal, and by a passion for the honor of France. The expedition which he now planned was intrusted to the command of John Ribault, of Dieppe, a brave man, of maritime experience, and a firm Protestant ; and was attended by some of the best of the young French nobility, as well as by veteran troops. The feeble Charles IX. conceded an ample commission, and in February, 1562, the squadron set sail for the shores of North America. Desiring to establish their plantation in a genial clime, land was first made in the latitude of St. Augustine ; the noble river which we call the St. John's was discovered, and named the river of May. It is the St. Matheo of the Spaniards. The forests of mulberries were admired, and caterpillars readily mistaken for silkworms. The cape received a French name ; as the ships sailed along the coast, the numerous streams were

called after the rivers of France; and America, for a while, had its Seine, its Loire, and its Garonne. In searching for the Jordan, or Combahee, they came upon Port Royal entrance, which seemed the outlet of a magnificent river. The greatest ships of France and the argosies of Venice could ride securely in the deep water of the harbor. They extracted turpentine from the pines, and they calked their vessels with the moss which grows on the trees of that sea-coast and so envelops the tallest oaks as to form natural arbors, impervious to the sun. It was perhaps on Parris Island that a monumental stone, engraved with the arms of France, was proudly raised. To secure the region to his native land, Ribault determined to leave a party of twenty-six to keep possession of it. Fort Charles, the Carolina, so called in honor of Charles IX. of France, gave a name to the country, a century before it was occupied by the English.

1562. In July, Ribault and the ships arrived safely in July 20. France. But the fires of civil war had been kindled in all the provinces of the kingdom; and the promised reinforcements for Carolina were never levied. The situation of the French became precarious. The natives were friendly; but the soldiers themselves were insubordinate, and dissensions prevailed. The commandant at Carolina repressed the turbulent spirit with arbitrary cruelty, and lost his life in a mutiny which his ungovernable passion had provoked. The new commander succeeded in restoring order. But the love of his native land is a passion easily revived in the breast of a Frenchman; and the company resolved to embark in such

1563. a brigantine as they could themselves construct. Intoxicated with joy at the thought of returning home, they neglected to provide sufficient stores; and they were overtaken by famine at sea, with its attendant crimes. A small English bark at length boarded their vessel, and, setting the most feeble on shore upon the coast of France, carried the rest to the queen of England. Thus fell the first attempt of France in French Florida, within the southern confines of South Carolina.

After the treacherous peace between Charles IX. and the Huguenots, Coligny renewed his solicitations for the

colonization of Florida. The king gave consent; in 1564 three ships were conceded for the service; and Laudonnière, who, in the former voyage, had been upon the American coast, a man of great intelligence, though a seaman rather than a soldier, was appointed to lead forth the colony. Emigrants readily appeared; for the climate of Florida was so celebrated that, according to rumor, the duration of human life was doubled under its genial influences; and men still dreamed of rich mines of gold in the interior. Coligny was desirous of obtaining accurate descriptions of the country; and James le Moyne, called De Morgues, an ingenious painter, was commissioned to execute colored drawings of the objects which might engage his curiosity. A voyage of sixty days brought the fleet, by the way of the Canaries and the Antilles, to the shores of Florida. The harbor of Port Royal, rendered gloomy by recollections of misery, was avoided; and after searching the coast, and discovering places which were so full of amenity that melancholy itself could not but change its humor as it gazed, the followers of Calvin planted themselves on the banks of the river May, near St. John's bluff. They sung a psalm of thanksgiving, and gathered courage from acts of devotion. The fort now erected was also named Carolina. The result of this attempt to procure for France immense dominions at the south of our republic, through the agency of a Huguenot colony, has been very frequently narrated: in the history of human nature it forms a dark picture of malignant bigotry.

The French were hospitably welcomed by the natives; a monument, bearing the arms of France, was crowned with laurels, and its base encircled with baskets of corn. What need is there of minutely relating the simple manners of the red men; the dissensions of rival tribes; the largesses offered to the strangers to secure their protection or their alliance; the improvident prodigality with which careless soldiers wasted the supplies of food; the certain approach of scarcity; the gifts and the tribute levied from the Indians by entreaty, menace, or force? By degrees the confidence of the natives was exhausted; they had welcomed power-

ful guests, who promised to become their benefactors, and who now robbed their humble granaries.

But the worst evil in the new settlement was the character of the emigrants. Though patriotism and religious enthusiasm had prompted the expedition, the inferior class of the colonists was a motley group of dissolute men. Mutinies were frequent. The men were mad with the passion for sudden wealth; and a party, under the pretence of desiring to escape from famine, compelled Laudonnière

<sup>1564.</sup> to sign an order, permitting their embarkation for Dec 8. New Spain. No sooner were they possessed of this apparent sanction of the chief, than they equipped two vessels, and began a career of piracy against the Spaniards. Thus the French were the aggressors in the first act of hostility in the New World; an act of crime and temerity which was soon avenged. The pirate vessel was taken, and most of the men disposed of as prisoners or slaves. A few escaped in a boat; these could find no shelter but at Fort Carolina, where Laudonnière sentenced the ringleaders to death.

Meantime, the scarcity became extreme; and the friendship of the natives was entirely forfeited by unprofitable severity. March of 1565 was gone, and there were no supplies from France; April passed away, and the expected recruits had not arrived; May came, but it brought nothing to sustain the hopes of the exiles. It was resolved to return to Europe in such miserable brigantines as despair could construct. Just then Sir John Haw-

<sup>Aug. 3.</sup> kins, the slave-merchant, arrived from the West Indies.

He came fresh from the sale of a cargo of Africans, whom he had kidnapped with signal ruthlessness; and he now displayed the most generous sympathy, not only furnishing a liberal supply of provisions, but relinquishing a vessel from his own fleet. Preparations were continued; the colony was on the point of embarking, when sails were descried. Ribault had arrived to assume the command; bringing with him supplies of every kind, emigrants with their families, garden-seeds, implements of husbandry, and the various kinds of domestic animals. The French, now

wild with joy, seemed about to acquire a home, and Calvinism to become fixed in the inviting regions of Florida.

But Spain had never relinquished her claim to that territory; where, if she had not planted colonies, she had buried many hundreds of her bravest sons. Should the proud Philip II. abandon a part of his dominions to France? Should he suffer his commercial monopoly to be endangered by a rival settlement in the vicinity of the West Indies? Should the bigoted Romanist permit the heresy of Calvinism to be planted in the neighborhood of his Catholic provinces? There had appeared at the Spanish court a bold commander, well fitted for acts of reckless hostility. Pedro Melendez de Aviles, often, as a naval officer, encountering pirates, had become inured to acts of prompt and unsparing vengeance. He had acquired wealth in Spanish America, which was no school of benevolence; and his conduct there had provoked an inquiry, which, after a long arrest, ended in his conviction. The heir of Melendez had been shipwrecked among the Bermudas; the father desired to return and search among the islands for tidings of his only son. Philip II. suggested the conquest and colonization of Florida; and a compact was soon framed and confirmed, <sup>1565</sup> May 20. by which Melendez, who desired an opportunity to retrieve his honor, was constituted the hereditary governor of a territory of almost unlimited extent.

On his part he stipulated, at his own cost, in the following May, to invade Florida with at least five hundred men; to complete its conquest within three years; to explore its currents and channels, the dangers of its coasts, and the depth of its havens; to establish a colony of at least five hundred persons, of whom one hundred should be married men; with at least twelve ecclesiastics, besides four Jesuits. He further engaged to introduce into his province all kinds of domestic animals, and five hundred negro slaves. The sugar-cane was to become a staple of the country.

The king, in return, promised the adventurer various commercial immunities; the office of governor for life, with the right of naming his son-in-law as his successor; an estate of twenty-five square leagues in the immediate vicinity.

of the settlement; a salary of two thousand ducats, chargeable on the revenues of the province; and a fifteenth part of all royal perquisites.

Meantime, news arrived, as the French writers assert through the treachery of the court of France, that the Huguenots had made a plantation in Florida, and that Ribault was preparing to set sail with re-enforcements. The cry was raised that the heretics must be extirpated; and Melendez readily obtained the forces which he required. More than twenty-five hundred persons—soldiers, sailors, priests, Jesuits, married men with their families, laborers, and mechanics, and, with the exception of three hundred soldiers, all at the cost of Melendez—undertook the invasion. The trade-winds of July bore the expedition rapidly across the Atlantic. A tempest scattered the fleet on its passage; it

was with only one third part of his forces that Melendez arrived at the harbor of St. John in Porto

<sup>1565.</sup> <sub>Aug. 9.</sub> Rico. But he esteemed celerity the secret of success; and, refusing to await the arrival of the rest of his squadron, he sailed for Florida. It had ever been his design to explore the coast; to select a favorable site for a settle-

ment; and, after constructing fortifications, to attack

<sup>Aug. 28.</sup> the French. It was on the day which the customs of Rome have consecrated to the memory of one of the most eloquent sons of Africa, and one of the most venerated of the fathers of the church, that he came in sight of Florida. For four days he sailed along the coast,

uncertain where the French were established; on the

<sup>Sept. 2.</sup> fifth day he landed, and gathered from the Indians

accounts of the Huguenots. At the same time he discovered a fine haven and beautiful river; and, remembering the saint on whose day he neared the coast, he gave to the harbor and to the stream the name of St. Augustine.

Sailing then to the north, he discovered a portion of

<sup>Sept. 4.</sup> the French fleet, and observed the road where they

were anchored. The French demanded his name and objects. "I am Melendez of Spain," replied he; "sent with strict orders from my king to gibbet and behead all the Protestants in these regions. The Frenchman who is a

Catholic I will spare; every heretic shall die." The French fleet, unprepared for action, cut its cables; the Spaniards, for some time, continued an ineffectual chase.

At the hour of vespers, on the evening preceding the anniversary of the nativity of Mary, the Spaniards returned to the harbor of St. Augustine. At noonday of the festival, that is, on the eighth of September, the governor went on shore, to take possession of the continent in the name of his king. Philip II. was proclaimed monarch of all North America. The mass of Our Lady was performed, and the foundation of St. Augustine was immediately laid. It is, by more than forty years, the oldest town in the United States.

By the French it was debated whether they should improve their fortifications and await the approach of the Spaniards, or proceed to sea and attack their enemy. Against the advice of his officers, Ribault resolved upon the latter course. Hardly had he left the harbor for the open sea, before there arose a fearful storm, which continued till October, and wrecked every ship of the French fleet on the Florida coast. The vessels were dashed against the rocks about fifty leagues south of Fort Carolina; most of the men escaped with their lives.

The Spanish ships also suffered, but not so severely; and the troops at St. Augustine were entirely safe. They knew that the French settlement was left in a defenceless state. Melendez led his men through the low land that divides the St. Augustine from the St. John's, and with a furious onset surprised the weak garrison, who had looked only towards the sea for the approach of danger. After a short contest, the Spaniards were masters of the fort; soldiers, women, children, the aged, the sick, were alike massacred. The Spanish account asserts that Melendez ordered women and young children to be spared; yet not till after the havoc had long been raging.

Nearly two hundred persons were killed. A few escaped into the woods, among them Laudonnière, Challus, and Le Moyne, who have related the horrors of the scene. But whither should they fly? Death met them in the woods;

and the heavens, the earth, the sea, and men, all seemed conspired against them. Should they surrender, appealing to the sympathy of their conquerors? "Let us," said Chalus, "trust in the mercy of God, rather than of these men." A few gave themselves up, and were immediately murdered. The others, after the severest sufferings, found their way to the seaside, and were received on board two small French vessels which had remained in the harbor. The Spaniards, angry that any should have escaped, insulted the corpses of the dead with wanton barbarity.

The victory had been gained on the festival of St. Matthew; and hence the Spanish name of the river May.

After the carnage, mass was said; a cross raised; and <sup>1565.</sup> Sept. 21. the site for a church selected, on ground still smoking with the blood of a peaceful colony.

The shipwrecked men were, in their turn, soon discovered. Melendez invited them to rely on his compassion; in a state of helpless weakness, wasted by their fatigues at sea, half famished, destitute of water and of food, they capitulated, and in successive divisions were ferried across the intervening river. As the captives stepped upon the opposite bank, their hands were tied behind them; and in this way they were marched towards St. Augustine, like sheep to the slaughter-house. When they approached the fort, a signal was given; and, amidst the sound of trumpets and drums, the Spaniards fell upon the unhappy men, who could offer no resistance. A few Catholics were spared; some mechanics were reserved as slaves; the rest were massacred, "not as Frenchmen, but as Lutherans." The whole number of victims here and at the fort is said, by the French, to have been about nine hundred; the Spanish accounts diminish the number of the slain, but not the atrocity of the deed.

In 1566, Melendez despatched a vessel from his <sup>1566.</sup> squadron, with thirty soldiers and two Dominicans, to settle the lands on the Chesapeake Bay, then known as St. Mary's, and convert its inhabitants; but, disheartened by contrary winds and the certain perils of the proposed colonization, they turned about before coming near the bay, and

sailed for Seville, spreading the worst accounts of a country which none of them had seen.

Melendez returned to Spain, impoverished, but triumphant. The French government heard of his outrage with apathy, and made not even a remonstrance on the ruin of a colony which, if it had been protected, would have given to France an empire in the south, before England had planted a single spot on the new continent. History has been more faithful, and has assisted humanity by giving to the crime of Melendez an infamous notoriety. The first town in the United States sprung from the unrelenting bigotry of the Spanish king. We admire the rapid growth of our larger cities; the sudden transformation of portions of the wilderness into blooming states. St. Augustine presents a stronger contrast, in its transition from the bigoted policy of Philip II. to the American principle of religious liberty.

The Huguenots and the French nation did not share <sup>1567.</sup> the indifference of the court. Dominic de Gourgues — a bold soldier of Gascony, whose life had been a series of adventures, now employed in the army against Spain, now a prisoner and a galley-slave among the Spaniards, taken by the Turks with the vessel in which he rowed, and redeemed by the commander of the knights of Malta — burned with a desire to avenge his own wrongs and the honor of his country. The sale of his property, and the contributions of his friends, furnished the means of equipping three ships, in which, with one hundred and fifty men, he, on the twenty-second of August, 1567, embarked for Florida, <sup>Aug 22</sup> to destroy and revenge. He surprised two forts near the mouth of the St. Matheo; and, as terror magnified the number of his followers, the consternation of the Spaniards enabled him to gain possession of the larger establishment, near the spot which the French colony had occupied.

Too weak to maintain his position, he, in May, 1568, <sup>1568.</sup> <sup>May</sup> hastily weighed anchor for Europe, having first hanged his prisoners upon the trees, and placed over them the inscription: "I do not this as unto Spaniards or mariners, but as unto traitors, robbers, and murderers." The natives, who had been ill-treated both by the Spaniards and the French,

enjoyed the consolation of seeing their enemies butcher one another.

The attack of the fiery Gascon was but a passing storm. France disavowed the expedition, and relinquished all pretension to Florida. Spain grasped at it as a portion of her dominions; and, if discovery could confer a right, her claim was founded in justice. In 1573, Pedro Melendez Marquez, nephew to the Adelantado, Melendez de Aviles, pursued the explorations begun by his relative. Having traced the coast line from the southern cape of Florida, he sailed into the Chesapeake Bay, estimated the distance between its headlands, took soundings of the water in its channel, and observed its many harbors and deep rivers, navigable for ships. His voyage may have extended a few miles north of the bay. The territory which he saw was held by Spain to be a part of her dominions, but was left by her in abeyance. Cuba remained the centre of her West Indian possessions, and every thing around it was included within her empire. Her undisputed sovereignty was asserted not only over the archipelagoes within the tropics, but over the continent round the inner seas. From the remotest south-eastern cape of the Caribbean, along the whole shore to the Cape of Florida, and beyond it, all was hers. The Gulf of Mexico lay embosomed within her territories.

## CHAPTER III.

## ENGLAND TAKES POSSESSION OF THE UNITED STATES.

THE attempts of the French to colonize Florida, though unprotected and unsuccessful, were not without an important influence on succeeding events. About the time of the return of De Gourgues, Walter Raleigh, a young Englishman, had abruptly left the university of Oxford, to engage in the civil contests between the Huguenots <sup>1569 to</sup> <sub>1575.</sub> and the Catholics in France, and with the Prince of Navarre, afterwards Henry IV., was learning the art of war under the veteran Coligny. The Protestant party was, at that time, strongly excited with indignation at the massacre which De Gourgues had avenged; and Raleigh could not but gather, from his associates and his commander, intelligence respecting Florida and the navigation to those regions. Some of the miserable men who escaped from the first expedition had been conducted to Elizabeth, and had kindled in the public mind in England a desire for the possession of the southern coast of our republic; the reports of Hawkins, who had been the benefactor of the French on the river May, increased the national interest; and De Morgues, the painter, who had sketched in Florida the most remarkable appearances of nature, ultimately found the opportunity of finishing his designs, through the munificence of Raleigh.

The expeditions of the Cabots, though they had revealed a continent of easy access, in a temperate zone, had failed to discover a passage to the Indies; and their fame was dimmed by that of Vasco da Gama, whose achievement made Lisbon the emporium of Europe. Thorne and Eliot, of Bristol, visited Newfoundland probably in 1502; in that year, savages in their wild attire were exhibited to the king; but North America as yet invited no colony, for it

promised no sudden wealth, while the Indies more and more inflamed commercial cupidity. In March, 1501, Henry VII. granted an exclusive privilege of trade to a company composed half of Englishmen, half of Portuguese, with leave to sail towards any point in the compass, and the incidental right to inhabit the regions which should be found; there is, however, no proof that a voyage was made under the authority of this commission. In December of the following year, a new grant in part to the same patentees promised a forty years' monopoly of trade, an equally wide scope for adventure, and larger favor to the alien associates; but even these great privileges seem not to have been followed by an expedition. The only connection which as yet existed between England and the New World was with Newfoundland and its fisheries.

The idea of planting agricultural colonies in the temperate regions of America was slowly developed, and could gain vigor only from a long succession of efforts and a better knowledge of the structure of the globe. The last voyage of Columbus still had for its purpose a western passage to India; with which he, to his dying hour, believed that the lands of his discovery were connected. In the conception of Europe the new continent was very slowly disengaged from the easternmost lands of Asia, and its colonization was not earnestly attempted till its separate existence was ascertained.

Besides, Henry VII., as a Catholic, could not wholly disregard the bull of the pope, which gave to Spain a paramount title to the North American world; and as a prince he sought a counterpoise to France in an intimate Spanish alliance, which he hoped to confirm by the successive marriage of one of his sons after the other to Catharine of Aragon, youngest daughter of Ferdinand and Isabella.

Henry VIII., on his accession, surrendered to his father-in-law the services of Sebastian Cabot. Once, perhaps in 1517, the young king promoted a voyage of discovery, but it "ooke no full effect." To avoid interference with Spain, Robert Thorne, of Bristol, who had long resided in Seville, proposed voyages to the east by way of the north; believ-

ing that there would be found an open sea near the pole, over which, during the arctic continuous day, Englishmen might reach the land of spices without travelling half so far as by the way of the Cape of Good Hope.

In 1527 an expedition, favored by Henry VIII. and Wolsey, sailed from Plymouth for the discovery of the north-west passage. But the larger ship was lost in July among icebergs, in a great storm; in August, accounts of the disaster were forwarded to the king and to the cardinal from the haven of St. John, in Newfoundland. The fisheries of that region were already frequented, not by the English only, but also by Normans, Biscayans, and Bretons.

The repudiation of Catharine of Aragon by Henry VIII., sundering his political connection with Spain, opened the New World to English rivalry. He was vigorous in his attempts to suppress piracy; and the navigation of his subjects flourished under his protection. The banner of St. George was often displayed in the harbors of Northern Africa and in the Levant; and now that commerce, emancipated from the limits of the inner seas, went boldly forth upon the oceans, the position of England gave her a pledge of superiority.

An account exists of an expedition to the north-west in 1536, conducted by Hore of London, and "assisted by the good countenance of Henry VIII." But the two ships, the "Trinity" and the "Minion," were worn out by a troublesome voyage of more than two months, before they reached a harbor in Newfoundland. There the disheartened adventurers wasted away, from famine and misery. In the extremity of their distress, a French ship arrived, "well furnished with vittails;" of this they obtained possession by a stroke of "policie," and set sail for England. The French, following in the English ship, complained of the exchange, upon which Henry VIII., of his own private purse, "made them full and royal recompense." In 1541, the fisheries of "Newland" were favored by an act of parliament, the first which refers to America.

The accession of Edward, in 1547, and the consequent ascendancy of Protestantism, marks the era when England

began to foreshadow her maritime superiority. In the first year of his reign, the council advanced a hundred pounds for Cabot, "a pilot, to come out of Hispania to serve and inhabit in England." In the next year, the fisheries of Newfoundland, which had suffered from exactions by the officers of the admiralty, obtained the protection of a special act, "to the intent that merchants and fishermen might use the trade of fishing freely without such charges."

In 1549 Sebastian Cabot was once more in England, brought over at the cost of the exchequer; and, "for good service done and to be done," was pensioned as grand pilot; nor would he return to Seville, though his return was officially demanded by the emperor. In March, 1551, a special reward was bestowed by the king on "Sebastian Cabote, the great seaman." He obtained a copy of the patent to his family, of which the original had been lost, but neither proposed new voyages to our shores nor cherished plans of colonization. He seemed to set no special value on his discovery of North America; to find a shorter route to the land of ~~spices~~ was the dream of his youth, which still haunted him. He had vainly tried the north-west and the south-west; he now advised to attempt a passage by the north-east, and was made president of the company of merchants who undertook the enterprise.

In May, 1553, the fleet of three ships, under the command of Sir Hugh Willoughby, following the instructions of Cabot, now almost an octogenarian, dropped down the Thames with the intent to reach China by doubling the northern promontory of Norway. The admiral, separated from his companions in a storm, was driven by the cold in September to seek shelter in a Lapland harbor. When search was made for him in the following spring, his whole company had perished from cold; Willoughby himself, whose papers showed that he had survived till January, was found dead in his cabin. Richard Chancellor, in one of the other ships, reached the harbor of Archangel. This was "the discovery of Russia," and the commencement of maritime commerce with that empire. A Spanish writer calls the result of the voyage "a discovery of new Indies."

Soon after the accession of Mary to the English throne, the emperor Charles V. again made an earnest request that Cabot might be sent back to his service; but the veteran mariner refused to leave England, where, in 1556, a new company was formed for discovery, of which he was a partner and the president. He lived to an extreme old age, and in the hour of death his thoughts wandered to the ocean. The discoverer of North America was one of the most remarkable men of his age. Time has spared all too few memorials of his career. He gave England a continent, and no one knows his burial-place.

Even the intolerance of Queen Mary could not check the passion for maritime adventure. The sea was becoming the element on which English valor was best displayed; English sailors neither feared the heats and fevers of the tropics, nor northern cold. The trade to Russia, now that the port of Archangel had been discovered, became very lucrative; and a regular and as yet an innocent commerce was carried on with Africa. The marriage of Mary with the heir to the throne of Spain tended to rouse the emulation which it was designed to check. The enthusiasm awakened by the brilliant pageantry with which King Philip was introduced into London excited Richard Eden to gather into a volume the history of the most memorable maritime expeditions. Religious restraints, the thirst for rapid wealth, the desire of strange adventure, had driven the boldest spirits of Spain to the New World; their deeds had been commemorated by the copious and accurate details of their own historians; and the English, through the alliance of their sovereign made familiar with the Spanish language and literature, became emulous of Spanish success beyond the ocean.

Elizabeth seconded the enterprise of her subjects. They were rendered the more proud and intractable for the short and unsuccessful effort to make England an appendage to Spain; and the triumph of Protestantism, quickening the spirit of nationality, gave a new impulse to the people. England, no longer the ally, but the antagonist of Philip, claimed the glory of being the mistress of the

northern seas, and prepared to extend her commerce to every clime. The queen strengthened her navy, filled her arsenals, and encouraged the building of ships in England: she animated the adventurers to Russia and to Africa by her special protection; and while her subjects were ~~endeavoring~~ to penetrate into Persia by land, and enlarge their commerce with the East by combining the use of ships and caravans, the harbors of Spanish America were at the same time visited by their privateers in pursuit of the rich galleons of Spain; and at least from thirty to fifty English ships came annually to the bays and banks of Newfoundland.

The study of geography had now become an interesting pursuit; the press teemed with books of travels, maps and descriptions of the earth; and Sir Humphrey Gilbert, reposing from the toils of war, engaged in the science of cosmography. A judicious and well-written argument in favor of the possibility of a north-western passage was the fruit of his literary industry.

The same views were entertained by one of the boldest men who ever ventured upon the ocean. For fifteen years, Martin Frobisher, an Englishman, well versed in various navigation, had revolved the design of accomplishing the discovery of the north-western passage; esteeming it "the only thing of the world, that was yet left undone, by which a notable minde might be made famous and fortunate." Too poor himself to provide a ship, it was in vain that he conferred with friends; in vain he offered his services to merchants. After years of desire, his representations found a hearing at court; and Dudley, Earl of Warwick, liberally promoted his design. Two small barks of twenty-five and of twenty tons', with a pinnace of ten tons' burden, composed the whole fleet, which was to enter gulfs that none before him had visited. As in June 8. June, 1576, they dropped down the Thames, Queen

Elizabeth waved her hand in token of favor, and, by an honorable message, transmitted her approbation of an adventure which her own treasures had not contributed to advance. During a storm on the voyage, the pinnace was

swallowed up by the sea; the mariners in the "Michael" became terrified, and turned their prow homewards; but Frobisher, in a vessel not much surpassing in tonnage the barge of a man-of-war, made his way, fearless and unattended, to the shores of Labrador, and to a passage or inlet north of the entrance of Hudson's Bay. A strange perversion has transferred the scene of his discoveries to the eastern coast of Greenland; it was among a group of American islands, in the latitude of sixty-three degrees and eight minutes, that he entered what seemed to be a strait. Hope suggested that his object was obtained; that the land on the south was America; on the north was the continent of Asia; and that the strait opened into the Pacific. Great praise is due to Frobisher for penetrating far beyond all former mariners into the bays and among the islands of this Meta Incognita, this unknown goal of discovery. Yet his voyage was a failure. To land upon an island, and, perhaps, on the main; to gather up stones and rubbish, in token of having taken possession of the country for Elizabeth; to seize one of the natives of the north for exhibition to the gaze of Europe, — these were all the results which he accomplished.

America and mines were always thought of together. A stone, which had been brought from the frozen regions, was pronounced by the refiners of London to contain gold. The news excited the wakeful avarice of the city: there were not wanting those who endeavored to purchase of Elizabeth a lease of the new lands, where it had been found. A fleet was immediately fitted out, to procure more of the gold, rather than to make further research for the passage into the Pacific; and the queen, who had contributed nothing to the voyage of discovery, sent a large ship of her own to join the expedition, which was now to conduct to infinite opulence. More men than could be employed volunteered their services; those who were discharged resigned their brilliant hopes with reluctance. The mariners, having received the communion, in May, 1577, embarked for the arctic El May 27. Dorado, "and with a merrie wind" soon arrived at the Orkneys. As they reached the north-eastern coast of

America, icebergs encompassed them on every side; but, with the light of an almost perpetual summer's day, the worst perils were avoided. Yet the mariners were alternately agitated with fears of shipwreck and joy at escape. At one moment they expected death; and at the next they looked for gold. The fleet made no discoveries; it did not advance so far as Frobisher alone had done. But it found large heaps of earth, which, even to the incredulous, seemed plainly to contain the coveted wealth; besides, spiders abounded; and "spiders were" affirmed to be "true signs of great store of gold." In freighting the ships, the admiral himself toiled like a painful laborer. How strange, in human affairs, is the mixture of sublime courage and ludicrous folly! What bolder maritime enterprise than, in that day, a voyage to lands lying north of Hudson Straits! What folly more egregious than to have gone there for a lading of useless earth!

But the passion for gold, unrelenting in its pursuit, is deaf to the voice of mercy, and blind to the cautions of judgment; it can penetrate the prairies of Arkansas, and covet the moss-grown barrens of the Esquimaux. I have 1578. now to relate the first attempt of the English, under the patronage of Elizabeth, to plant in America.

It was believed that the rich mines of the polar regions would countervail the charges of a costly adventure; the hope of a passage to Cathay increased; and, for the security of the newly discovered lands, soldiers and discreet men were selected to become their inhabitants. A magnificent fleet of fifteen sail was assembled, in part at the expense of Elizabeth; the sons of the English gentry embarked as volunteers; one hundred persons were chosen to form the colony, which was to secure to England a country too inhospitable to produce a tree or a shrub, yet where gold lay glistening in heaps upon the surface. Twelve vessels were to return immediately with cargoes of the ore; three were ordered to remain and aid the settlement. The north-west passage was now become of less consideration; Asia itself could not vie with the riches of this hyperborean archipelago.

But the entrance to these wealthy islands was rendered

difficult by frost; and the fleet of Frobisher, as in mid-summer, 1578, it approached the American coast, was bewildered among icebergs, which were so vast that, as they melted, torrents poured from them in sparkling waterfalls. One vessel was crushed and sunk, though the men on board were saved. In the dangerous mists, the ships lost their course, and came into the straits which have since been called Hudson's, and which lie south of the imagined gold regions. The admiral believed himself able to sail through to the Pacific, and resolve the doubt respecting the passage. But his duty as a mercantile agent controlled his desire of glory as a navigator. He struggled to regain the harbor where his vessels were to be laden; and, after "getting in at one gap and out at another;" escaping only by miracle from hidden rocks and unknown currents, ice, and a lee shore, which was, at one time, avoided only by a prosperous breath of wind in the very moment of extreme danger,—he at last arrived at the haven in the Countess of Warwick's Sound. The ~~zeal~~ of the volunteer colonists had moderated; and the disheartened sailors were ready to mutiny. One ship, laden with provisions for the colony, deserted and returned; and an island was discovered with enough of the black ore "to suffice all the gold-gluttons of the world." The plan of the settlement was abandoned. It remained to freight the home-bound ships with a store of minerals. They who engage in a foolish project combine, in case of failure, to conceal their loss; for the truth would be an impeachment of their judgment; so that unfortunate speculations are promptly consigned to oblivion. The adventurers and the historians of the voyage are silent about the disposition which was made of the cargo of the fleet. The knowledge of the seas was not extended; the credulity of avarice met with a rebuke; and the belief in regions of gold among the Esquimaux was dissipated; but there remained a firm conviction that a passage to the Pacific Ocean might yet be threaded among the icebergs and northern islands of America.

While Frobisher was thus attempting to obtain wealth

and fame on the north-east coast of America, the western limits of the territory of the United States became known.

Embarking on a three years' voyage in quest of <sup>1577 to</sup> <sub>1580.</sub> fortune, Francis Drake acquired immense treasures

as a freebooter in the Spanish harbors on the Pacific, and, having laden his ship with spoils, the illustrious corsair gained for himself an honest fame by circumnavigating the globe. But, before following in the path which the ship of Magellan had thus far alone dared to pursue, Drake determined to explore the north-western coast of America, in the hope of discovering the strait which connects the oceans. With this view, he crossed the equator, sailed beyond the peninsula of California, and followed the continent to the latitude of forty-three degrees, corresponding to the latitude

of the southern borders of New Hampshire. Here, <sup>1579.</sup> in June, 1579, the cold seemed intolerable to men who

had just left the tropics. Despairing of success, he retired to a harbor in a milder latitude, within the limits of Mexico; and, having refitted his ship, and named the country New Albion, he sailed for England, through the seas of Asia. Thus was the southern part of the Oregon territory

first visited by Englishmen, thirty-seven years after a <sup>1542.</sup> voyage of the Spanish from Acapulco, commanded by

Juan Rodriguez Cabrillo, a Portuguese, had entered the harbor of San Diego, where in January, 1543, he died. But his pilot, Bartolome Ferrelo, continued the exploration, and traced the American continent to within two and a half degrees of the mouth of Columbia River. The story

<sup>1593.</sup> that, thirteen years after the voyage of Drake, John de Fuca, a mariner from the isles of Greece, then in the employ of the viceroy of Mexico, sailed into the straits which bear his name, may be treated as a legend.

The adventures of Drake were but a career of splendid piracy against a nation with which his sovereign and his country professed to be at peace. Oxenham, a subordinate officer, who had ventured to imitate his master, was taken by the Spaniards and hanged; nor was his punishment either unexpected or censured in England as severe. The exploits of Drake, except so far as they nourished a love for

maritime affairs, were injurious to commerce ; the minds of the sailors were debauched by a passion for sudden acquisitions ; and to receive regular wages seemed base and unmanly, when, at the easy peril of life, there was hope of boundless plunder. Commerce and colonization rest on regular industry ; the humble labor of the English fishermen, who frequented the Grand Bank, bred mariners for the navy of their country, and prepared the way for its settlements in the New World. Already four hundred vessels came annually from the harbors of Portugal and Spain, of France and England, to the shores of Newfoundland. The English were not there in such numbers as other nations, for they still frequented the fisheries of Iceland ; but yet they " were commonly lords in the harbors," and exacted payment for protection.

While the queen and her adventurers were dazzled by dreams of finding gold in the frozen regions of the north, Sir Humphrey Gilbert, with a sounder judgment and better knowledge, watched the progress of the fisheries, and formed healthy plans for colonization. He had been a soldier and a member of parliament ; had written judiciously on navigation ; and, though censured for his ignorance of the principles of liberty, was esteemed for the sincerity of his piety. Free alike from fickleness and fear, danger never turned him aside from the pursuit of honor or the service of his sovereign ; for he knew that death is inevitable, and the fame of virtue immortal. It was not difficult for him in June, 1578, to obtain a patent, formed according to commercial theories of that day, and to be of perpetual efficacy, if a plantation should be established within six years. To the people who might belong to his colony, the rights of Englishmen were promised ; to Gilbert, the possession for himself or his assigns of the soil which he might discover, and the sole jurisdiction, both civil and criminal, of the territory within two hundred leagues of his settlement, with supreme executive and legislative authority.

Under this patent, Gilbert collected a company of volunteer adventurers, contributing largely from his own fortune

to the preparation. Jarrings and divisions ensued, before the voyage was begun; many abandoned what they 1579. had inconsiderately undertaken; in 1579, the general and a few of his assured friends—among them, his step-brother, Walter Raleigh—put to sea: one of his ships was lost; and misfortune compelled the remainder to return. Gilbert attempted to keep his patent alive by making grants of lands: none of his assigns succeeded in establishing a colony; and he was himself too much impoverished to renew his efforts.

But the pupil of Coligny delighted in hazardous adventure. To prosecute discoveries in the New World, lay the foundation of states, and acquire immense domains, appeared to Raleigh as easy designs, which would not interfere with the pursuit of favor in England. Before the limit

of the charter had expired, Gilbert, assisted by his 1583. brother, equipped a new squadron. In 1583 the fleet embarked under happy omens; the commander, on the eve of his departure, received from Elizabeth, as a token of regard, a golden anchor guided by a lady. A man of letters from Hungary accompanied the expedition; and some

part of the United States would have then been colonized, but for a succession of overwhelming disasters.

Two days after leaving Plymouth, the largest ship in the fleet, which had been furnished by Raleigh, who himself remained in England, deserted, under a pretence of infectious disease, and returned into harbor. Gilbert, incensed,

but not intimidated, sailed for Newfoundland; and, in Aug. 5.

August, entering St. John's, he summoned the Spaniards and Portuguese, and other strangers, to witness the ceremonies by which he took possession of the country for his sovereign. A pillar, on which the arms of England were infixed, was raised as a monument; and lands were granted to the fishermen in fee, on condition of the payment of a quit-rent. It was generally agreed that "the mountains made a show of mineral substance;" the "mineral-man" of the expedition, an honest and religious Saxon, protested on his life that silver ore abounded. He was charged to keep the discovery a profound secret; and the

precious ore was carried on board the larger ship with such mystery that the dull Portuguese and Spaniards suspected nothing of the matter.

It was not easy for Gilbert to preserve order in the little fleet. Many of the mariners, infected with the vices which at that time degraded their profession, were no better than pirates, and were perpetually bent upon pillaging whatever ships fell in their way. At length, having abandoned one of their barks, the English, now in three vessels only, sailed on further discoveries, intending to visit the coast of the United States. But they had not proceeded towards the south beyond the latitude of Wiscasset, when the largest ship, from the carelessness of the crew, struck and was wrecked. Nearly a hundred men perished; the "mineral-man" and the ore were all lost; nor was it possible to rescue Parmenius, the Hungarian scholar, <sup>1583.</sup> <sup>Aug. 27.</sup> who should have been the historian of the expedition.

It now seemed necessary to hasten to England. Gilbert had sailed in the "Squirrel," a bark of ten tons only, and therefore convenient for entering harbors and approaching the coast. On the homeward voyage, he would not forsake his little company, with whom he had encountered so many storms and perils. A desperate resolution! The weather was extremely rough; the oldest mariner had never seen "more outrageous seas." The little frigate, not more than twice as large as the long-boat of a merchantman, "too small a bark to pass through the ocean sea at that season of the year," was nearly wrecked: That same night, about twelve o'clock, its lights suddenly disappeared; and neither the vessel, nor any of its crew, was ever again seen.

The "Hind" reached Falmouth in safety.

Sept. 22.

Raleigh, not disheartened by the sad fate of his step-brother, revolved a settlement in the milder clime from which the Protestants of France had been expelled. He readily obtained from Elizabeth, in March, 1584, a patent as ample as that which had Mar. 23. been conferred on Gilbert. It was drawn according to the principles of feudal law, and with strict regard to the Christian faith, as professed in the church of England.

Raleigh was constituted a lord proprietary, with almost unlimited powers; holding his territories by homage and an inconsiderable rent, and possessing jurisdiction over an extensive region, of which he had power to make grants according to his pleasure.

Expectations rose high, since the balmy regions of the south were now to be colonized. Two vessels, well laden with men and provisions, under the command of Philip Amidas and Arthur Barlow, buoyant with hope, set <sup>1584.</sup> April 27. sail for the New World. They pursued the circuitous route by the Canaries and the islands of the West Indies; after a short stay in those islands, they sailed for the north, and were soon opposite the shores of July 2. Carolina. As in July they drew near land, the fragrance was "as if they had been in the midst of some delicate garden, abounding with all kinds of odoriferous flowers." Ranging the coast for one hundred and twenty miles, they entered the first convenient harbor, and, July 13. after thanks to God for their safe arrival, they took possession of the country for the queen of England.

The spot on which this ceremony was performed was in the Island of Wocoken, the southernmost of the islands forming Ocracoke Inlet. The shores of North Carolina, at some periods of the year, cannot safely be approached by a fleet, from the hurricanes against which the formation of the coast offers no secure roadsteads and harbors. But in the month of July the air was agitated by none but the gentlest breezes, and the English commanders were in raptures with the beauty of the ocean, seen in the magnificence of repose, gemmed with islands, and expanding in the clearest transparency from cape to cape. The vegetation of that southern latitude struck the beholders with admiration; the trees had not their paragons; luxuriant climbers gracefully festooned the loftiest cedars; wild grapes abounded; and natural arbors formed an impervious shade, that not a ray of the suns of July could penetrate. The forests were filled with birds; and, at the discharge of an arquebus, whole flocks would arise, uttering a cry, as if an army of men had shouted together.

The gentleness of the tawny inhabitants appeared in harmony with the loveliness of the scene. The desire of traffic overcame their timidity, and the English received a friendly welcome. On the Island of Roanoke, they were entertained by the wife of Granganimeo, father of Wingina, the king, with the refinements of Arcadian hospitality. "The people were most gentle, loving and faithful, void of all guile and treason, and such as lived after the manner of the golden age." They had no cares but to guard against the moderate cold of a short winter, and to gather such food as the earth almost spontaneously produced. And yet it was added, with singular want of comparison, that the wars of these guileless men were cruel and bloody; that domestic dissensions had almost exterminated whole tribes; that they employed the basest stratagems against their enemies; and that the practice of inviting men to a feast, to murder them in the hour of confidence, was not exclusively a device of European bigots, but was known to the natives of Secotan. The English, too, were solicited to engage in a similar enterprise, under promise of lucrative booty.

The adventurers were satisfied with observing the general aspect of the New World; no extensive examination of the coast was undertaken; Pamlico and Albemarle Sound and Roanoke Island were explored, and some information gathered by inquiries from the Indians; the commanders had not the courage or the activity to survey the country with exactness. Having made but a short stay in America, they arrived in September in the west of England, accompanied by Manteo and Wanchese, two natives of the wilderness; and the returning voyagers gave such glowing descriptions of their discoveries as might be expected from men who had done no more than sail over the smooth waters of a summer's sea, among "the hundred islands" of North Carolina. Elizabeth esteemed her reign signalized by the discovery of the enchanting regions, and, as a memorial of her state of life, named them Virginia.

Nor was it long before Raleigh, elected to represent in parliament the county of Devon, obtained a bill <sup>1584.</sup> <sub>Dec. 16.</sub> confirming his patent of discovery; and while he re-

ceived the honor of knighthood, as the reward of his valor, he acquired a lucrative monopoly of wines, which enabled him to continue with vigor his schemes. The prospect of becoming the proprietary of a delightful territory, with a numerous tenantry, who should yield him not only a revenue, but allegiance, inflamed his ambition; and, as the English nation listened with credulity to the descriptions of Amidas and Barlow, it was not difficult to gather a numerous company of emigrants. While a new patent was issued to his friend, for the discovery of the north-western passage, and the well-known voyages of Davis, sustained in part by the contributions of Raleigh himself, were increasing the acquaintance of Europe with the Arctic Sea, the plan of colonizing Virginia was earnestly pursued.

The new expedition was composed of seven vessels, 1585.

and carried one hundred and eight colonists to the shores of Carolina. Ralph Lane, a man of considerable distinction, and so much esteemed for his services as a soldier that he was afterwards knighted by Queen Elizabeth, was willing to act for Raleigh as governor of the colony. Sir Richard Grenville, the most able and celebrated

of Raleigh's associates, distinguished for bravery among the gallant spirits of a gallant age, assumed the command of the fleet. In April, 1585, it sailed from

April 9. Plymouth, accompanied by several men of merit, whom the world remembers: by Cavendish, who soon after circumnavigated the globe; Hariot, the inventor of the system of notation in modern algebra, the historian of the expedition; and White, an ingenious painter, whose sketches of the natives, their habits and modes of life, were taken with beauty and exactness.

To sail by the Canaries and the West Indies, to conduct a gainful commerce with the Spanish ports by intimidation;

June 20, 24. to capture Spanish vessels,—these were but the expected preliminaries of a voyage to Virginia. In June 24. the fleet fell in with the main land of Florida; it was in great danger of being wrecked on the cape, which June 26. was then first called the Cape of Fear; and two days after it came to anchor at Wocoken. The perils

from the shoals of that coast became too evident: the largest ship, as it entered the harbor, struck, but was not lost. It was through Ocracoke Inlet that the fleet made its way to Roanoke.

Manteo, who returned with the fleet from a visit to England, was sent to the main to announce their arrival. Grenville, accompanied by Lane, Hariot, Cavendish, and others, in an excursion of eight days, explored the coast as far as Secotan, and, as they relate, were well entertained of the savages. At one of the Indian towns, a silver cup had been stolen; its restoration was delayed; with hasty cruelty, Grenville ordered the village to be burnt and the standing corn destroyed. Not long after this act of inconsiderate revenge, the ships, having landed the colony, sailed for England; a rich Spanish prize, made by Grenville on the return voyage, secured him a courteous welcome as he re-entered Plymouth.

The employments of Lane and his colonists, after the departure of Sir Richard Grenville, could be none other than to explore the country, which he thus describes:

"It is the goodliest soil under the cope of heaven; the most pleasing territory of the world; the continent is of a huge and unknown greatness, and very well peopled and towned, though savagely. The climate is so wholesome, that we have not one sick, since we touched the land. If Virginia had but horses and kine, and were inhabited with English, no realm in Christendom were comparable to it."

The keenest observer was Hariot. He carefully examined the productions of the country, those which would furnish commodities for commerce, and those which were in esteem among the natives. He observed the culture of tobacco; accustomed himself to its use, and believed in its healing virtues. The culture and the extraordinary productiveness of maize especially attracted his admiration; and the tuberous roots of the potato, when boiled, were found to be very good food. The natural inhabitants are described as too feeble to inspire terror; clothed in mantles and aprons of

deerskins ; having no weapons but wooden swords and bows of witch-hazel with arrows of reeds ; no armor but targets of bark and sticks wickered together with thread. Their largest towns contained but thirty dwellings. The walls of the houses were made of bark, fastened to stakes ; and sometimes consisted of poles fixed upright, one by another, and at the top bent over and fastened. But the great peculiarity of the Indians consisted in the want of political connection. A single town often constituted a government ; a collection of ten or twenty wigwams might be an independent state. The greatest chief in the country could not muster more than seven or eight hundred fighting men. The dialect of each government seemed a language by itself. The country which Hariot explored was on the boundary of the Algonkin race, where the Lenni-Lenape tribes melted into the widely differing nations of the south. Their wars rarely led them to the open battle-field ; they were accustomed rather to sudden surprises at daybreak or by moonlight, to ambuses and the subtle devices of cunning falsehood. Destitute of the arts, they yet displayed excellency of wit in all which they attempted. To the credulity of fetichism they joined an undeveloped conception of the unity of the Divine Power, continued existence after death, and retributive justice. The mathematical instruments, the burning-glass, guns, clocks, and the use of letters, seemed the works of gods rather than of men ; and the English were reverenced as the pupils and favorites of Heaven. In every town which Hariot entered, he displayed and explained the Bible ; the Indians revered the volume rather than its doctrines ; with a fond superstition, they embraced the book, kissed it, and held it to their breasts and heads, as an amulet. As the colonists enjoyed uniform health, and had no women with them, there were some among the Indians who imagined the English were not born of woman, and therefore not mortal ; that they were men of an old generation, risen to immortality. The terrors of fire-arms, the natives could neither comprehend nor resist ; every sickness which now prevailed among them was attributed to wounds from invisible bullets, discharged by unseen agents, with whom the air

was supposed to be peopled. They prophesied that "more of the English generation would come, to kill theirs and take their places;" and some believed that the purpose of extermination was already matured, and its execution begun.

Was it strange, then, that the natives desired to be delivered from guests by whom they feared to be supplanted? The colonists were mad for gold; and a wily savage allured them by tales: that the river <sup>March.</sup> Roanoke gushed from a rock so near the Pacific that the surge of that ocean sometimes dashed into its fountain; that its banks were inhabited by a nation skilled in the art of refining the rich ore in which the country abounded. The walls of their city were described as glittering with pearls. Lane was so credulous that he attempted to ascend the rapid current of the Roanoke; and his followers would not return till their stores of provisions were exhausted, and they had killed and eaten the very dogs which bore them company. On this attempt to explore the interior, the English hardly advanced higher up the river than some point near the present village of Williamstown.

The Indians had hoped to destroy the English by <sup>April.</sup> thus dividing them; but the prompt return of Lane prevented open hostilities. They next conceived the plan of leaving their lands unplanted, that famine might compel the departure of their too powerful guests. The suggestion was defeated by the moderation of one of their aged chiefs; but the feeling of enmity could not be restrained. The English believed that fear of a foreign enemy was teaching the natives the necessity of union; and that a grand alliance was forming to destroy the strangers by a general massacre. Desiring an audience of Wingina, the most active among the native chiefs, Lane and his attendants were on the first day of June readily admitted to his presence. Immediately, and without any sign of hostile intentions by the Indians, a preconcerted watchword was given; and the Christians, falling upon the unhappy king and his principal followers, put them without mercy to death.

The discoveries of Lane were inconsiderable : to the south they had extended only to Secotan, in the present county of Craven, between the Pamlico and the Neuse ; to the north they reached the river Elizabeth, which joins the Chesapeake Bay at Hampton Roads ; in the interior, the Chowan had been examined beyond the junction of the Meherrin and the Nottoway ; and we have seen that the hope of gold attracted Lane to make a short excursion up the Roanoke. Yet some general results of importance were obtained. The climate was found to be salubrious ; during the year not more than four men had died, and, of these, three brought the seeds of their disease from Europe. The hope of finding better harbors at the north was confirmed ; and the Bay of Chesapeake, though so long since discovered by the Spanish, was first made known to the English by this expedition. But in the Island of Roanoke the men began to despond ; they looked in vain towards the ocean for supplies from England ; they were sighing for their native

<sup>1586.</sup> <sub>June 8.</sub> land ; when early in June it was rumored that the sea was white with the sails of three-and-twenty ships, and within three days Sir Francis Drake anchored his fleet outside of Roanoke Inlet, in "the wild road of their bad harbor."

He had come, on his way from the West Indies to England, to visit the domain of his friend ; and readily supplied the wants of Lane to the uttermost ; giving him a bark of seventy tons, with pinnaces and small boats, and all needed provisions for the colony. Above all, he induced two experienced sea-captains to remain and employ themselves in the action of discovery. Every thing was furnished to complete the surveys along the coast and the rivers, and in the last resort, if suffering became extreme, to convey the emigrants to England.

At this time, an unwonted storm suddenly arose, and had nearly wrecked the fleet, which lay in a most dangerous position, and which had no security but in weighing anchor and standing away from the shore. When the tempest was over, nothing could be found of the boats and the bark, which had been set apart for the colony. The humanity of

Drake was not weary; he devised measures for supplying the colony with the means of continuing their discoveries; but Lane shared the despondency of his men; and Drake yielded to their unanimous desire of permission to embark in his ships for England. Thus ended the <sup>1584.</sup> <sub>June 19.</sub> first actual settlement of the English in America.

The exiles of a year had grown familiar with the favorite amusement of the lethargic Indians; and they introduced into England the general use of tobacco.

A little delay would have furnished them with ample supplies. A few days after their departure, a ship arrived, laden with all stores needed by the infant settlement. It had been despatched by Raleigh; but, finding "the paradise of the world" deserted, it could only return to England. Another fortnight had hardly elapsed, when Sir Richard Grenville appeared off the coast with three well-furnished ships, and made a vain search for the departed colony. Unwilling that the English should lose possession of the country, he left fifteen men on the Island of Roanoke, to be the guardians of their rights.

The decisive testimony of Hariot to the excellence <sup>1587.</sup> of the country rendered it easy to collect a new colony for America. Raleigh, undismayed by losses, now determined to plant an agricultural state; to send emigrants with wives and families, who should make their homes in the New World; and, that life and property might be secured, he granted a charter of incorporation for the settlement, and established a municipal government for <sup>Jan. 7.</sup> "the city of Raleigh." John White was appointed its governor; and to him, with eleven assistants, the administration of the colony was intrusted. A fleet of transport ships was prepared at the expense of the proprietary; "Queen Elizabeth, the godmother of Virginia," declined contributing "to its education." The company, as it embarked, in April, 1587, was cheered by the presence of women; and <sup>April 26.</sup> an ample provision of the implements of husbandry gave a pledge for successful industry. In July, they arrived on the coast of North Carolina; they were saved from the dangers of Cape Fear; and, passing Cape Hatteras, they

hastened to the Isle of Roanoke, to search for the handful of men whom Grenville had left there as a garrison. They found the tenements deserted and overgrown with weeds; human bones lay scattered on the field where wild deer were reposing. The fort was in ruins. No vestige of surviving life appeared.

The instructions of Raleigh had designated the place for the new settlement on the Bay of the Chesapeake. It marks but little union, that Fernando, the naval officer, eager to renew a profitable traffic in the West Indies, refused his assistance in exploring the coast, and White was compelled to remain on Roanoke. The fort of Governor Lane, "with sundry decent dwelling-houses," had been built

at the northern extremity of the island; it was there <sup>1587.</sup> <sub>July 23.</sub> that in July the foundations of the city of Raleigh were laid. The island is now almost uninhabited; commerce has selected securer harbors; the intrepid pilot and the hardy "wrecker" are the only occupants of the spot, where the inquisitive stranger may yet discern the ruins of the fort, round which the cottages of the new settlement were erected.

But disasters thickened. A tribe of savages <sub>July 28.</sub> played implacable jealousy, and murdered one of the assistants. The mother and the kindred of Manteo welcomed the English to the Island of Croatan; and mutual good-will was continued. But even this alliance was not unclouded. A detachment of the English, discovering a company of the natives whom they esteemed their enemies, fell upon them by night, as they were sitting by their fires; and the havoc was begun, before it was perceived that these were friendly Indians.

<sub>Aug. 13.</sub> The vanities of life were not forgotten; "by the commandment of Sir Walter Raleigh," Manteo, the faithful Indian chief, after receiving Christian baptism, was invested with the rank of baron, as the Lord of Roanoke.

With the returning ship, White embarked for England to intercede for the prompt despatch of re-enforcements and supplies. Yet, previous to his departure, his daughter, <sub>Aug. 18.</sub> Eleanor Dare, the wife of one of the assistants, gave

birth to a female child, the first offspring of English parents on the soil of the United States. The infant was named from the place of its birth. The colony, now composed of eighty-nine men, seventeen women, and two children, whose names are all preserved, might reasonably hope for the speedy return of the governor, as he left with them <sup>1587.</sup> Aug. 27. his daughter and his grandchild, VIRGINIA DARE.

Yet even those ties were insufficient. The further history of this neglected plantation is involved in gloomy uncertainty. The inhabitants of "the city of Raleigh," the emigrants from England and the first-born of America, awaited death in the land of their adoption. If America had no English town, it soon had English graves.

For when White reached England, he found its attention absorbed by the threats of an invasion from Spain; and Grenville, Raleigh, and Lane, not less than Frobisher, Drake, and Hawkins, were engaged in measures of resistance. Yet Raleigh, whose patriotism did not diminish his generosity, found means to despatch White with supplies in two vessels. But the company, desiring a gainful voyage rather than a safe one, ran in chase of prizes, till one of them fell in with men-of-war from Rochelle, and, after a bloody fight, was boarded and rifled. Both ships were compelled to return immediately to England, to the ruin of the colony and the displeasure of its author. The delay was fatal: the English kingdom and the Protestant reformation were in danger; nor could the poor colonists of Roanoke be again remembered, till after the discomfiture of the Invincible Armada.

Even then, Sir Walter Raleigh, who had already incurred a fruitless expense of forty thousand pounds, found his impaired fortune insufficient for further attempts at colonizing Virginia. He therefore used the privilege of his patent to endow a company of merchants and adventurers with large concessions. Among the men who thus obtained an assignment of the proprietary's rights in Virginia, is found the name of Richard Hakluyt; it connects the first efforts of England in North Carolina with the final colonization of Virginia. The colonists at Roanoke had emigrated with a charter;

<sup>1589</sup> the new instrument was not an assignment of Ra-  
<sup>March 7.</sup> leigh's patent, but the extension of a grant, already held under its sanction, by increasing the number to whom the rights of that charter belonged.

<sup>1590.</sup> More than another year elapsed, before White could return to search for his colony and his daughter; and then the Island of Roanoke was a desert. An inscription on the bark of a tree pointed to Croatan; but the season of the year and the dangers from storms were pleaded as an excuse for an immediate return. Had the emigrants already perished? or had they escaped with their lives to Croatan, and through the friendship of Manteo become familiar with the Indians? The conjecture has been hazarded that the deserted colony, neglected by their own countrymen, were hospitably adopted into the tribe of Hatteras Indians. Raleigh long cherished the hope of discovering some vestiges of their existence, and sent at his own charge, and, it is said, at five several times, to search for his liege-men. But it was all in vain; imagination received no help in its attempts to trace the fate of the colony of Roanoke.

The name of Raleigh stands highest among the statesmen of England who advanced the colonization of the United States. Courage which was never daunted, mild self-possession, and fertility of invention, insured him glory in his profession of arms; and his services in the conquest of Cadiz and the capture of Fayal established his fame as a gallant and successful commander.

No soldier in retirement ever expressed the charms of tranquil leisure more beautifully than Raleigh, whose "sweet verse" Spenser described as "sprinkled with nectar," and rivalling the melodies of "the summer's nightingale." When an unjust verdict left him to languish for years in prison, with the sentence of death suspended over his head, his active genius plunged into the depths of erudition; and he who had been a warrior, a courtier, and a seaman, became the author of an elaborate History of the World. In his civil career he was thoroughly an English patriot; jealous of the honor, the prosperity,

and the advancement of his country ; the steadfast antagonist of the exorbitant pretensions of Spain. In parliament, he defended the freedom of domestic industry. When, through unequal legislation, taxation was a burden upon industry rather than wealth, he argued for a change ; himself possessed of a lucrative monopoly, he gave his voice for the repeal of all monopolies ; he used his influence with his sovereign to mitigate the severity of the judgments against the non-conformists, and as a legislator he resisted the sweeping enactment of persecuting laws.

In the career of discovery, his perseverance was never baffled by losses. He joined in the risks of Gilbert's expedition ; contributed to that of Davis in the north-west ; and explored in person "the insular regions and broken world" of Guiana. His lavish efforts in colonizing the soil of our republic, his sagacity which enjoined a settlement within the Chesapeake Bay, the publications of Hariot and Hakluyt which he countenanced, diffused over England a knowledge of America, as well as an interest in its destinies, and sowed the seeds, of which the fruits were to ripen during his lifetime, though not for him.

Raleigh had suffered in health before his last expedition. He returned broken-hearted by the defeat of his hopes, by the decay of his strength, and by the death of his eldest son. What shall be said of King James, who would open to an aged paralytic no other hope of liberty but through success in the discovery of mines in Guiana ? What shall be said of a monarch who could, at that time, under a sentence which had slumbered for fifteen years, order the execution of the decrepit man, whose genius and valor shone through the ravages of physical decay, and whose English heart still beat with an undying love for his country.

The family of the chief author of early colonization in the United States was reduced to beggary by the government of England, and he himself was beheaded. After a lapse of nearly two centuries, the state of North Carolina, in 1792, revived in its capital "THE CITY OF RALEIGH," in grateful commemoration of his name and fame.

Imagination already saw beyond the Atlantic a people whose mother idiom should be the language of England. "Who knows," exclaimed Daniel, the poet laureate of that kingdom,—

Who in time knows whither we may vent  
The treasures of our tongue? To what strange shores  
This gain of our best glory shall be sent  
To enrich unknowing nations with our stores?  
What worlds, in th' yet unformed Occident,  
May 'come refined with th' accents that are ours.

1593. Already the fishing of Newfoundland was become the stay of the west countries. Some traffic may have continued with Virginia. Thus were men trained for the career of discovery; and in 1602 Bartholomew Gosnold, who, perhaps, had already sailed to Virginia, in the usual route, by the Canaries and West Indies, conceiving the idea of a direct voyage to America, with the concurrence of Raleigh,

had well-nigh secured to New England the honor of <sup>1602.</sup> Mar. 26. the first permanent English colony. Steering, in a small bark, directly across the Atlantic, in seven weeks he reached Cape Elizabeth, on the coast of Maine. Following

the coast to the south-west, he skirted "an outpoint May 14. of wooded land;" and, about noon of the fourteenth of May, he anchored "near Savage rock," to the east of York harbor. There he met a Biscay shallop; and there he was visited by natives. Not finding his "purposed

place," he stood to the south, and on the morning of May 15. the fifteenth discovered the promontory which he named Cape Cod. He and four of his men went on shore; Cape Cod was the first spot in New England ever trod by Englishmen, while as yet there was not one European family on the continent from Florida to Hud-

son's Bay. Doubling the cape, and passing Nantucket, May 24. they touched at No Man's Land, passed round the promontory of Gay Head, naming it Dover Cliff, and entered Buzzard's Bay, a stately sound, which they called Gosnold's Hope. The westernmost of the islands was named Elizabeth, from the queen; a name which has been transferred to the group. Here they beheld the rank vegetation

of a virgin soil: noble forests; wild fruits and flowers, bursting from the earth; the eglantine, the thorn, and the honeysuckle, the wild pea, the tansy, and young sassafras; strawberries, raspberries, grape-vines, all in profusion. Within a pond upon the island lies a rocky islet; on this the adventurers built their storhouse and their fort; and the foundations of the first New England colony were laid. The island, the pond, the islet, are yet visible; the shrubs are luxuriant as of old; but the forests are gone, and the ruins of the fort can no longer be discerned.

A traffic with the natives on the main enabled Gosnold to lade the "Concord" with sassafras root, then esteemed in pharmacy as a sovereign panacea. The band, which was to have nestled on the Elizabeth Islands, finding their friends about to embark for Europe, despaired of supplies of food, and determined not to remain. Fear of the Indians, who had ceased to be friendly, the want of provisions, and jealousy respecting the distribution of the risks and profits, defeated the design. The party soon set sail, and bore <sup>1602.</sup> <sub>June 18.</sub> for England, leaving not so much as one European family between Florida and Labrador. The return voyage lasted but five weeks; and the expedition was completed in less than four months, during which entire health had prevailed.

Gosnold and his companions spread the most favorable reports of the regions which he had visited. Could it be that the voyage was so safe, the climate so pleasant, the country so inviting? The merchants of Bristol, with the ready assent of Raleigh, and at the instance of Richard Hakluyt, the enlightened friend and able documentary historian of these commercial enterprises, a man whose fame should be vindicated and asserted in the land which he helped to colonize, determined to pursue the career of investigation. The "Speedwell," a ship of fifty tons and thirty men, the "Discoverer," a bark of twenty-six tons and thirteen men, under the command of Martin Pring, set sail for America a few days after the death of the <sup>1603.</sup> <sub>Apr. 10.</sub> queen. It was a private undertaking, and therefore not retarded by that event. The ship was well provided with trinkets and merchandise, suited to a traffic with the

natives; and this voyage also was successful. It reached the American coast among the islands of Penobscot Bay; coasting towards the west, Pring made a discovery of many of the harbors of Maine; of the Saco, the Kennebunk, and the York Rivers; and the channel of the Piscataqua was examined for three or four leagues. Finding no sassafras, he steered to the south, doubled Cape Ann, and went on shore in Massachusetts; but, being still unsuccessful, he again pursued a southerly track, till he anchored in Old Town harbor, on Martha's Vineyard. Here obtaining a freight, he returned to England, after an absence of about six months, which had been free from disaster or danger.

The testimony of Pring having confirmed the report of Gosnold, an expedition, promoted by the Earl of Southampton and his brother-in-law Lord Arundel of Wardour, was confided to George Waymouth, a careful and vigilant commander, who, in attempting a north-west passage, had already explored the coast of Labrador.

Weighing anchor on Easter Sunday, on the fourteenth of May he came near the whitish, sandy promontory of Cape Cod. To escape the continual shoals in which he found himself embayed, he stood out to sea, then turned to the north, and on the seventeenth anchored to the north of Monhegan Island, in sight of hills to the north-north-east on the main. On Whit-Sunday he found his way among the St. George's Islands into an excellent harbor, which was accessible by four passages, defended from all winds, and had good mooring upon a clay ooze and even upon the rocks by the cliff side. The climate was agreeable; the sea yielded fish of many kinds profusely; the tall and great trees on the islands were much observed; and the gum of the silver fir was thought to be as fragrant as frankincense; some trade was carried on with the natives for sables, and skins of deer and otter and beaver; the land was of such pleasantness that many of the company wished themselves settled there. Having in the last of May discovered in his pinnace the broad, deep current of the St. George's, on the eleventh of June Waymouth passed with a

gentle wind up with the ship into that river for about eighteen miles, which were reckoned at six-and-twenty, and "all consented in joy" to admire its width of a half mile or a mile; its verdant banks; its gallant and spacious coves; the strength of its tide, which may have risen nine or ten feet, and was set down at eighteen or twenty. On the thirteenth, he ascended in a row-boat ten miles further, and the discoverers were more and more pleased with the beauty of the fertile bordering ground. No token was found that ever any Christian had been there before; and at the point where the river trends westward into the main he set up a memorial cross, as he had already done on the rocky shore of the St. George's Islands. Well satisfied with his discoveries, on Sunday the sixteenth of June he sailed for England, taking with him five of the natives whom he had decoyed, to be instructed in English, and to serve as guides to some future expedition. At his coming into the harbor of Plymouth, he yielded up three of the natives to Sir Ferdinando Gorges, the governor of that town, whose curiosity was thus directed to the shores of Maine. The returning voyagers celebrated its banks, which promised most profitable fishing; its rude people, who were willing to barter costly furs for trifles; the temperate and healthful air of the country, whose "pleasant fertility betrayed itself to be the garden of nature." But it was not these which tempted Gorges. He had noticed that all navigations of the English along the more southerly American coast had failed from the want of good roads and harbors; these were the special marks at which he levelled; and hearing of a region, safe of approach and abounding in harbors large enough to shelter the ships of all Christendom, he aspired to the noble office of filling it with prosperous English plantations.

Such were the voyages which led the way to the colonization of the United States. The daring and ability of these <sup>•</sup>pioneers upon the ocean deserve the highest admiration. The character of the prevalent winds and currents was unknown. The possibility of making a direct passage was but gradually discovered. The imagined dangers were infinite; the

real dangers incalculable from tempests and shipwreck, famine and mutinies, heat and cold, diseases known and unknown. The ships at first employed were generally of less than one hundred tons' burden ; two of those of Columbus were without a deck ; Frobisher sailed in a vessel of but twenty-five tons. Columbus was cast away twice, and once remained for eight months on an island, without any communication with the civilized world ; Roberval, Parmentier, Gilbert,—and how many others!—went down at sea ; and such was the state of the art of navigation that intrepidity and skill were unavailing against the elements without the favor of Heaven.

## CHAPTER IV.

## COLONIZATION OF VIRGINIA.

THE period of success in planting Virginia had arrived ; yet not till changes in European politics and society had moulded the forms of colonization. The Reformation had broken the harmony of religious opinion ; and differences in the church began to constitute the basis of political parties. After the East Indies had been reached by doubling the southern promontory of Africa, the great commerce of the world was carried upon the ocean. The art of printing had been perfected and diffused ; and the press spread intelligence and multiplied the facilities of instruction. The feudal institutions, which had been reared in the middle ages, were already undermined by the current of time and events, and, swaying from their base, threatened to fall. Productive industry had built up the fortunes and extended the influence of the active classes ; while habits of indolence and expense had impaired the estates and diminished the power of the nobility. These changes produced corresponding results in the institutions which were to rise in America.

A revolution had equally occurred in the purposes for which voyages were undertaken. The hope of Columbus, as he sailed to the west, had been the discovery of a new passage to the East Indies. The passion for gold next became the prevailing motive. Then the islands and countries near the equator were made the tropical gardens of the Europeans. At last, the higher design was matured : to plant permanent Christian colonies ; to establish for the oppressed and the enterprising places of refuge and abode ; to found states in a temperate clime, with all the elements of independent existence.

In the imperfect condition of industry, a redundant pop-

ulation had existed in England even before the peace with Spain, which threw out of employment the gallant men who had served under Elizabeth by sea and land, and left them no option but to engage as mercenaries in the quarrels of strangers, or incur the hazards of "seeking a New World." The minds of many persons of intelligence and rank were directed to Virginia. The brave and ingenious Gosnold, who had himself witnessed the fertility of the western soil, long solicited the concurrence of his friends for the establishment of a colony, and at last prevailed with Edward Maria Wingfield, a merchant of the west of England, Robert Hunt, a clergyman of fortitude and modest worth, and John Smith, an adventurer of rarest qualities, to risk their lives and hopes of fortune in an expedition. For more than a year, this little company revolved the project of a plantation. At the same time, Sir Ferdinando Gorges was gathering information of the native Americans, whom he had received from Weymouth, and whose descriptions of the country, joined to the favorable views which he had already imbibed, filled him with the strongest desire of becoming a proprietor of domains beyond the Atlantic. Gorges was a man of wealth, rank, and influence; he readily persuaded Sir John Popham, lord chief justice of England, to share his intentions. Nor had the assigns of Raleigh become indifferent to "western planting;" which the most distinguished of them all, "industrious Hakluyt," the historian of maritime enterprise, still promoted by his personal exertions, his weight of character, and his invincible zeal. Possessed of whatever information could be derived from foreign sources and a correspondence with eminent navigators of his times, and anxiously watching the progress of Englishmen in the west, his extensive knowledge made him a counsellor in every colonial enterprise.

The king of England, too timid to be active, yet too vain to be indifferent, favored the design of enlarging his dominions. He had attempted in Scotland the introduction of the arts of life among the Highlanders and the Western Isles, by the establishment of colonies; and the Scottish plantations which he founded in the northern counties of

Ireland contributed to the affluence and the security of that island. When, therefore, a company of men of business and men of rank, formed by the experience of Gosnold, the enthusiasm of Smith, the perseverance of Hakluyt, the influence of Popham and Gorges, applied to James I. for leave "to deduce a colony into Virginia," the <sup>1606.</sup> monarch on the tenth of April, 1606, <sup>April 10.</sup> readily set his seal to an ample patent.

The first colonial charter, under which the English were planted in America, deserves careful consideration. A belt of twelve degrees on the American coast, embracing the soil from Cape Fear to Halifax, excepting perhaps the little spot in Acadia then actually possessed by the French, was set apart to be colonized by two rival companies. Of these, the first was composed of noblemen, gentlemen, and merchants, in and about London; the second, of knights, gentlemen, and merchants, in the west. The London adventurers, who alone succeeded, had an exclusive right to occupy the regions from thirty-four to thirty-eight degrees of north latitude, that is, from Cape Fear to the southern limit of Maryland; the western men had equally an exclusive right to plant between forty-one and forty-five degrees. The intermediate district, from thirty-eight to forty-one degrees, was open to the competition of both companies. Yet collision was not probable; for each was to possess the soil extending fifty miles north and south of its first settlement; so that neither might in the beginning plant within one hundred miles of its rival. The conditions of tenure were homage and rent; the rent was no other than one fifth of the net produce of gold and silver, and one fifteenth of copper. The right of coining money was conceded, perhaps to facilitate commerce with the natives, who, it was hoped, would receive Christianity and the arts of civilized life. The general superintendence was confided to a council in England; the local administration of each colony to a resident council. The members of the superior council in England were appointed exclusively by the king; and the tenure of their office was his good pleasure. Of the colonial councils, the members were from time to time to be

ordained, made, and removed, according to his instructions. Supreme legislative authority over the colonies, extending to their general condition and the most minute regulations, was reserved to the monarch. A duty, to be levied on vessels trading to its harbors, was, for one-and-twenty years, to be wholly employed for the benefit of the plantation ; at the end of that time was to be taken for the king. To the emigrants it was promised that they and their children should continue to be Englishmen. Lands were to be held by the most favorable tenure.

The first written charter of a permanent American colony, which was to be the chosen abode of liberty, gave to the mercantile corporation nothing but a desert territory, with the right of peopling and defending it, and reserved to the monarch absolute legislative authority, the control of all appointments, and a hope of an ultimate revenue. The emigrants were subjected to the ordinances of a commercial corporation, of which they could not be members ; to the dominion of a domestic council, in appointing which they had no voice ; to the control of a superior council in England, which had no sympathies with their rights ; and, finally, to the arbitrary legislation of the sovereign. The first "treasurer" or governor of the London company, to whom chiefly fell the management of its affairs, was Sir Thomas Smythe, a merchant zealous for extending the commerce of his country, but without a conception of popular rights, and not in the least inclined by his character to mitigate the authority of the corporation.

The summer was spent by the patentees in preparations for planting a colony, for which the king found a <sup>1606.</sup> grateful occupation in framing a code of laws ; an <sup>Nov. 20.</sup> exercise of royal power which has been pronounced in itself illegal. The superior council in England was permitted to name the colonial council, which was independent of the emigrants whom it was to govern ; having power to elect or remove its president, to remove any of its members, and to supply its own vacancies. Not an element of popular liberty was introduced. Religion was established according to the doctrine and rites of the church within the realm ;

and no emigrant might avow dissent, or affect the superstitions of the church of Rome, or withdraw his allegiance from King James. Lands were to descend according to the laws of England. Not only murder, manslaughter, and adultery, but dangerous tumults and seditions, were punishable by death; so that the security of life depended on the discretion of the magistrate, restricted only by the trial by jury. All civil causes, requiring corporal punishment, fine, or imprisonment, might be summarily determined by the president and council; who also possessed full legislative authority in cases not affecting life or limb. Kindness to the savages was enjoined, with the use of all proper means for their conversion. It was further ordered that the industry and commerce of the respective colonies should, for five years at least, be conducted in a joint stock. The king reserved to himself the right of future legislation.

Thus were the political forms of the colony established, when, on the nineteenth day of December, in the year of our Lord one thousand six hundred and six, one hundred and nine years after the discovery of the American continent by Cabot, forty-one years from the settlement of Florida, the squadron of three vessels, the largest not exceeding one hundred tons' burden, with the favor of all England, stretched their sails for "the dear strand of Virginia, earth's only paradise." Michael Drayton, the patriot poet "of Albion's glorious isle," cheered them on their voyage, saying,

Go, and in regions far  
Such heroes bring ye forth  
As those from whom we came;  
And plant our name  
Under that star  
Not known unto our north.

Yet the enterprise was ill concerted. Of the one hundred and five, on the list of emigrants, there were but twelve laborers, and very few mechanics. They were going to a wilderness, in which, as yet, not a house was standing; and there were forty-eight gentlemen to four carpenters.

Neither were there any men with families. Dissensions sprung up during the voyage; as the names and instructions of the council had, by the folly of James, been concealed in a box, which was not to be opened till after the arrival in Virginia, no competent authority existed to check envy and disorder. The superior capacity of Smith excited

jealousy; and hope, the only power which can still 1607. the clamors and allay the feuds of the selfish, early deserted the colonists.

Newport, who commanded the ships, was acquainted with the old passage, and sailed by way of the Canaries and the West India Islands. As he turned to the north, a April. severe storm, in April, 1607, carried his fleet beyond the settlement of Raleigh, into the magnificent Bay of the Chesapeake. The headlands received and retain the names of Cape Henry and Cape Charles, from the sons of King James; the deep water for anchorage, "putting the emigrants in good Comfort," gave a name to the northern Point; and within the capes a country opened, which appeared to "claim the prerogative over the most pleasant places in the world." "Heaven and earth seemed never to have agreed better to frame a place for man's commodious and delightful habitation." A noble river was soon entered, which was named from the monarch; and, after a search of seventeen days, during which the comers encountered the hostility of one savage tribe, and at Hampton smoked the calumet of peace with another, on the thirteenth of May 13. May the peninsula of Jamestown, about fifty miles above the mouth of the stream, was selected for the site of the colony.

Thus admirable was the country. The emigrants themselves were weakened by factious divisions. So soon as the council was duly constituted, its members proceeded to choose Wingfield president; and then, as by their instructions they had power to do, they excluded Smith from their body, on a charge of sedition. But the attempt at his trial was abandoned, and by "the good doctrine and exhortation" of Hunt, the man without whose aid the vices of the colony would have caused its immediate ruin, was restored to his station.

While the men were busy in felling timber and providing freight for the ships, Newport and Smith and twenty others ascended the James River to the falls. They visited the native chieftain Powhatan, "the emperor of the country," at his principal seat, just below the site of Richmond. The imperial residence was a village of twelve wigwams! The savages murmured at the intrusion of strangers into the country; but Powhatan disguised his fear, and would only say: "They hurt you not; they take but a little waste land."

About the middle of June, Newport set sail for England. What condition could be more pitiable than that of the English whom he had left in Virginia? Weak in numbers, and still weaker from want of habits of industry, they were surrounded by natives whose hostility and distrust had already been displayed; the summer heats were intolerable to their laborers. Their scanty provisions had become spoiled on the long voyage. "Our drink," say they, "was unwholesome water; our lodgings, castles in the air: had we been as free from all sins as from gluttony and drunkenness, we might have been canonized for saints." Despair of mind ensued; in less than a fortnight after the departure of the fleet, "hardly ten of them were able to stand;" the labor of completing some simple fortifications was exhausting; and no regular crops could be planted. During the summer, there were not, on any occasion, five able men to guard the bulwarks; the fort was filled in every corner with the groans of the sick, whose outcries, night and day, for six weeks, rent the hearts of those who could minister no relief. Sometimes, three or four died in a night; in the morning, their bodies were trailed out of the cabins, like dogs, to be buried. Fifty men, one half of the colony, perished before autumn; among them Bartholomew Gosnold, a man of rare merits, worthy of a perpetual <sup>1607.</sup> <sup>Aug. 22.</sup> memory in the plantation, for he was its projector, and his influence had alone thus far preserved some degree of harmony in the council.

Disunion completed the scene of misery. Wingfield, the president, accused of appropriating public stores and designing to abandon the colony, was deposed. Ratcliffe, the new

president, possessed neither judgment nor industry; so that the management of affairs fell into the hands of Smith, whose buoyant spirit of heroic daring diffused light amidst the general gloom. In boyhood, such is his own narrative, he had sighed for the opportunity of "setting out on brave adventures;" and, though not yet thirty years of age, he was already a veteran in service. He had fought for the independence of the Batavian republic; as a traveller, had roamed over France; had visited Egypt; had returned to Italy; and, panting for glory, had sought the borders of Hungary, where there had long existed an hereditary warfare with the followers of Mahomet. There he distinguished himself by brave feats of arms, in the sight of Christians and infidels. At length, in November, 1602, he, with many others, was overpowered in a sudden skirmish among the glens of Wallachia; and, as a prisoner of war, was sold "like a beast in a market-place," and sent to Constantinople as a slave. Removed to the Crimea, and there subjected to the harshest usage among half-savage serfs, he rose against his taskmaster, whom he slew in the struggle; mounted a horse, and through forest paths escaped to Transylvania. There bidding farewell to his companions in arms, he resolved to return "to his own sweet country;" but, on hearing rumors of civil war in Northern Africa, he hastened, in search of untried dangers, to the realms of Morocco. At length regaining England, his mind was wholly mastered by

the general enthusiasm for planting states in America; 1607. and now the infant commonwealth of Virginia de-

pended for its life on his firmness. He was more wakeful to gather provisions than the covetous to find gold; and strove more to keep the country than the faint-hearted to abandon it. As autumn approached, the Indians, from the superfluity of their harvest, made a voluntary offering; and supplies were also collected by expeditions into the interior. But the conspiracies that were still formed to desert the settlement, first by Wingfield, and again by Ratcliffe, could be defeated only after a skirmish, in which one of the leaders was killed; and the danger of a precipitate abandonment of Virginia continued to be imminent,

till the approach of winter, when the homeward navigation became perilous, and the fear of famine was removed by the abundance of wild fowl and game. Nothing then remained but to examine the country.

The South Sea was considered the ocean path to every kind of wealth. The coast of America on the Pacific had been explored by the Spaniards, and had been visited by Drake; the collections of Hakluyt had communicated to the English the results of their voyages; and the maps of that day exhibited a tolerably accurate delineation of the continent of North America. Yet, with singular ignorance of the progress of geographical knowledge, it had been enjoined on the colonists to seek a communication with the South Sea by ascending some stream which flowed from the north-west. The Chickahominy was such a stream. Smith, though he did not share the ignorance of his employers, was ever willing to engage in discoveries; he not only ascended the river as far as he could advance in boats, but struck into the interior. His companions disobeyed his instructions, and, being surprised by the Indians, were put to death. Alone with his Indian guide, and environed in the woods by Opechancanough and his warriors, he gave himself up as a prisoner; but saved his life by displaying a pocket compass, and explaining its properties to the savage chief. His captors "used him with what kindness they could," listening to his discourse about ships and the manner of sailing the seas; about the earth and the skies, and about his God. They saved him from a warrior who would have taken vengeance on him for the loss of his son; and in the worst winter weather they sent his letters to the English fort on James River. From the villages on the Chickahominy he was escorted through many Indian towns to an audience with Powhatan, who chanced at that time to be on what is now York River. The emperor, studded with ornaments, clad in raccoon skins, proudly lying upon ten or twelve mats, and raised a little above the attendant warriors and women, showed a grave and majestic countenance as he welcomed him with good words and "great platters of sundrie" food; and

gave assurance of friendship with a speedy restoration to liberty. After a few days, which he diligently used in inquiries respecting the country, "he was sent home," accompanied by four men, two of whom were laden with maize.

The relation of this adventure by Smith had no sooner reached England than, in the author's absence, it was instantly seized on for the press. These first printed "Newes from Virginia" made famous to English readers the name of Pocahontas, the daughter of Powhatan, a girl "of tenne" or "twelve" "years old, which not only for feature, countenance, and expression, much exceeded any of the rest of his people, but for wit and spirit was the only nonpareil of the country." The captivity of the bold explorer became a benefit to the colony; for he not only had observed with care the country between the James and the Potomac, and had gained some knowledge of the language and manners of the natives, but he established a peaceful intercourse between the English and the tribes of Powhatan. The child, to whom in later days he attributed his rescue from death, came to the fort with her companions, bringing baskets of corn for the garrison.

Restored to Jamestown after an absence of but four weeks, Smith found the colony reduced to forty men; and, of these, the strongest were preparing to escape with the pinnace. This attempt at desertion he repressed at the hazard of his life.

Meantime, the council in England, having received an increase of its numbers and its powers, determined to send out new recruits and supplies; and Newport had hardly returned from his first voyage, before he was again despatched with one hundred and twenty emigrants. Yet the joy in Virginia on their arrival was of short continuance; for the new comers were chiefly vagabond gentlemen and goldsmiths, who soon persuaded themselves that they had discovered grains of gold in a glittering earth which abounded near Jamestown; and "there was now no talk, no hope, no work, but dig gold, wash gold, refine gold, load gold." Martin, one of the council, promised himself honors in Eng-

land as the discoverer of a mine; and Newport believed himself rich, as he embarked for England with a freight of worthless earth.

Disgusted at the follies which he had vainly opposed, declining for the moment the office of president, Smith undertook the perilous and honorable office of <sup>1608.</sup> <sub>July to Sept.</sub> exploring the Bay of the Chesapeake, and the rivers which it receives. Two voyages, in an open boat, with a few companions, over whom his superior courage, rather than his station as a magistrate, gave him authority, occupied him about three months of the summer, and embraced a navigation of nearly three thousand miles. The slenderness of his means has been contrasted with the dignity and utility of his discoveries, and his name has been placed among the ever memorable men who have enlarged the bounds of geographical knowledge, and opened the way for colonies and commerce. He surveyed the Bay of the Chesapeake to the Susquehannah, and left only the borders of that remote river to remain for some years longer the fabled dwelling-place of a giant progeny. He was the first to publish to the English the power of the Mohawks, "who dwelt upon a great water, and had many boats, and many men," and, as it seemed to the feebler Algonkin tribes, "made war upon all the world;" in the Chesapeake, he encountered a fleet of their canoes. The Patapsco was discovered and explored, and Smith probably entered the harbor of Baltimore. The majestic Potomac especially invited curiosity; and he ascended beyond Mount Vernon and Washington to the falls above Georgetown. Nor did he merely examine the rivers and inlets. He penetrated the territories, and laid the foundation for future beneficial intercourse with the native tribes. The map which he prepared and sent to the company in London delineates correctly the great outlines of nature. The expedition was worthy the romantic age of American history.

On the tenth of September, 1608, three days after <sup>1608.</sup> <sub>Sept. 10.</sub> his return, Smith was made president of the council. Order and industry began to be diffused when Newport, with a second supply, entered the river. About seventy

new emigrants arrived; two of whom were females. The charge of the voyage was two thousand pounds; unless the ships should return full freighted with commodities, corresponding in value to the costs of the adventure, the colonists were threatened that "they should be left in Virginia as banished men." Neither had experience taught the company to engage suitable emigrants. "When you send again," Smith was obliged to write, "I entreat you rather send but thirty carpenters, husbandmen, gardeners, fishermen, blacksmiths, masons, and diggers up of trees' roots, well provided, than a thousand of such as we have."

In 1609, after the departure of the ships, Smith 1609. employed his authority to enforce industry. Six hours in the day were spent in work; the rest might be given to pastime. The gentlemen had learned the use of the axe, and had become accomplished wood-cutters. "He who would not work, might not eat;" and Jamestown assumed the appearance of a regular place of abode. Yet so little land was under culture that it was still necessary to gather food from the Indians. Thus the season passed away; of two hundred in the colony, not more than seven died. In the spring, the culture of maize was taught by two savages; and thirty or forty acres were "digged and planted."

The golden anticipations of the London company had not been realized; but the cause of failure appeared in the policy, which had grasped at sudden emoluments. Undaunted by the train of misfortunes, the kingdom awoke to the greatness of the undertaking, and designs worthy of the English nation were conceived. The second charter of Vir-

ginia, which, at the request of the former corporation, 1609. May 23. passed the seals on the twenty-third of May, 1609, in- trusted the colonization of that land to a very numerous and opulent and influential body of adventurers. The name of Robert Cecil, Earl of Salisbury, the inveterate enemy and successful rival of Raleigh, appears at the head of those who were to carry into execution the grand design to which Raleigh, now a close prisoner in the Tower, had roused the attention of his countrymen. Among the many hundreds whose names followed, were the Earls of Southampton,

Lincoln, and Dorset, George Percy, Sir Oliver Cromwell, uncle to the future protector, Sir Anthony Ashley, Sir Edwin Sandys, Sir Francis Bacon, Captain John Smith, Richard Hakluyt, George Sandys, many tradesmen, and five-and-fifty public companies of London; so that the nobility and gentry, the army and the bar, the industry and trade of England, were represented.

The territory granted to the company extended two hundred miles to the north, and as many to the south of Old Point Comfort, "up into the land throughout from sea to sea, west and north-west;" including "all the islands lying within one hundred miles along the coast of both seas of the precinct."

At the request of the corporation, the new charter transferred to the company the powers which had before been reserved to the king. The perpetual supreme council in England was now to be chosen by the shareholders themselves, and, in the exercise of the functions of legislation and government, was independent of the monarch. The governor in Virginia, whom the corporation was to appoint, might rule the colonists with uncontrolled authority, according to the tenor of instructions and laws established by the council, or, in want of them, according to his own good discretion, even in cases capital and criminal, not less than civil; and, in the event of mutiny or rebellion, he might declare martial law, being himself the judge of the necessity of the measure, and the executive officer in its administration. If not one valuable civil privilege was guaranteed to the emigrants, they were at least withdrawn from the power of the king; and the company could at its pleasure endow them with all the rights of Englishmen.

Lord Delaware, distinguished for his virtues as well as rank, received the appointment of governor and captain-general for life; and was surrounded, at least nominally, by stately officers, with titles and charges suited to the dignity of a flourishing empire. The public mind favored colonization; the adventurers, with cheerful alacrity, contributed free-will offerings; and such swarms of people desired to be transported that the company could despatch a fleet of nine vessels, containing more than five hundred emigrants.

The admiral of the expedition was Newport, who, with Sir Thomas Gates and Sir George Somers, was authorized to administer the affairs of the colony till the arrival of Lord Delaware. The three commissioners had embarked on board the same ship, which, near the coast of Virginia, a hurricane separated from all its companions and stranded on the rocks of the Bermudas. A small ketch perished; so that seven ships only arrived in Virginia.

Their coming created a new dilemma. The old charter was abrogated; and there was in the settlement no one who had any authority from the new patentees. The emigrants of the last arrival were dissolute gallants, packed off to escape worse destinies at home, broken tradesmen, gentlemen impoverished in spirit and fortune; rakes and libertines, more fitted to corrupt than to found the new commonwealth. It was not the will of God that these men should "be the carpenters and workers in this so glorious a building." Hopeless as the determination appeared, Smith, for more than a year, maintained his authority as president over the unruly herd, and devised new expeditions and new settlements for their occupation and support. When an accidental explosion of gunpowder disabled him by inflicting wounds which the surgical skill of the colony could not relieve, he delegated his office to Percy, and embarked for England, never to see Virginia again. He united the highest spirit of adventure with eminent powers of action. His courage and self-possession accomplished what others esteemed desperate. Fruitful in expedients, he was prompt in execution. He was accustomed to lead, not to send, his men to danger; would suffer want rather than borrow, and starve sooner than not pay. He had a just idea of the public good and his country's honor. To his vigor, industry, and resolution, the survival of the colony is due. He clearly discerned that it was the true interest of England not to seek in Virginia for gold and sudden wealth, but to enforce regular industry. "Nothing," said he, "is to be expected thence, but by labor."

The colonists, no longer controlled by an acknowledged authority, abandoned themselves to improvident idleness. Their ample stock of provisions was rapidly consumed; and

further supplies were refused by the Indians, who began to regard them with a fatal contempt. Stragglers from the town were cut off; parties, which begged food in the Indian cabins, were murdered; and plans were laid to starve and destroy the whole company. The horrors of famine ensued; while a band of about thirty, seizing on a ship, escaped to become pirates, and to plead desperate necessity as their excuse. Smith had left more than four hundred and ninety persons in the colony: in six months, indolence, vice, and famine reduced the number to sixty; and these were so feeble and dejected that, if relief had been delayed but ten days longer, they also must have utterly perished.

Sir Thomas Gates and the passengers, whose ship 1610. had been wrecked on the rocks of the Bermudas, had reached the shore without the loss of a life. The uninhabited island, teeming with natural products, for nine months sustained them in affluence. From the cedars which they felled, and the wrecks of their old ship, they constructed two vessels, in which they embarked for Virginia, in the hope of a happy welcome to a prosperous colony. How great, then, was their horror, as in May, 1610, they came May 24. among the scenes of death, and misery, and scarcity! Four pinnaces remained in the river; nor could the extremity of distress listen to any other course than to make sail for Newfoundland. The colonists desired to burn June 7. the town in which they had been so wretched, and the exercise of their infantile vengeance was prevented only by Gates, who was himself the last to desert the settlement. "None dropped a tear, for none had enjoyed one day of happiness." On the eighth they fell down the June 8. stream with the tide; but, the next morning, as they drew near the mouth of the river, they encountered the long-boat of Lord Delaware, who had arrived on the coast with emigrants and supplies. The fugitives bore up the helm, and, favored by the wind, were that night once more at the fort in Jamestown.

It was on the tenth day of June that the restoration of the colony was begun. "Bucke, chaplain of the Somer Islands, finding all things so contrary to their expectations, so full of

misery and misgovernment, made a zealous and sorrowful prayer." A deep sense of the infinite mercies of Providence revived hope in the colonists who had been spared by famine, the emigrants who had been shipwrecked and yet preserved, and the new comers who found wretchedness and want where they had expected abundance. "It is," said they, "the arm of the Lord of Hosts, who would have his people pass the Red Sea and the wilderness, and then possess the land of Canaan." "Doubt not," said the emigrants to the people of England, "God will raise our state and build his church in this excellent clime." Lord Delaware caused his commission to be read; and, after a consultation on the good of the colony, its government was organized with mildness but decision. The evils of faction were healed by the unity of the administration, and the dignity and virtues of the governor; and the colonists, in mutual emulation, performed their tasks with alacrity. At the beginning of the day, they assembled in the little church, which was kept neatly trimmed with the wild flowers of the country; next, they returned to their houses to receive their allowance of food. The hours of labor were from six in the morning till ten, and from two in the afternoon till four. The houses were warm and secure, covered above with strong boards, and matted on the inside after the fashion of the Indian wigwams.

The country became better known. Samuel Argall, who in the former year had visited Virginia as a trading agent of Sir Thomas Smythe, and now came over again with the expedition of 1610, explored the neighboring coast to the north. At nine in the morning of the twenty-seventh of July, he cast anchor in a very great bay, with many affluents; and gave it the name of Delaware.

Security and affluence were returning to the colony. But the health of Lord Delaware sunk under his cares and the climate; after a lingering sickness, he left the administration with Percy, and returned to England. The colony, at this time, consisted of about two hundred men; but the departure of the governor produced despondency at Jamestown; "a damp of coldness" in the hearts of the London

company; and a great reaction in the popular mind in England. In the age when the theatre was the chief place of public resort for amusement, Virginia was introduced by the stage-poets as a theme of derision. "This plantation," complained they of Jamestown, "has undergone the reproofs of the base world; our own brethren laugh us to scorne; and papists and players, the scum and dregs of the earth, mocke such as help to build up the walls of Jerusalem."

Fortunately, the adventurers, before the ill success of Lord Delaware was known, had despatched Sir Thomas Dale, "an experienced soldier," with supplies. <sup>1611.</sup> In May, 1611, he arrived in the Chesapeake, and <sup>May 10.</sup> assumed the government, which he soon afterwards administered upon the basis of martial law. The code, printed and sent to Virginia by the treasurer, Sir Thomas Smythe, on his own authority, and without the order or assent of the company, was chiefly a translation from the rules of war of the United Provinces. The Episcopal Church, coeval in Virginia with the settlement of Jamestown, was, like the infant commonwealth, subjected to military power; and, though conformity was not strictly enforced, yet courts-martial had authority to punish indifference with stripes, and infidelity with death. The normal introduction of this arbitrary system, which the charter permitted only in cases of rebellion and mutiny, added new sorrows to the wretchedness of the people, who pined and perished under despotic rule.

The letters of Dale to the council confessed the small number and weakness and discontent of the colonists; but he kindled hope in the hearts of those constant adventurers, who, in the greatest disasters, had never fainted. "If any thing otherwise than well betide me," said he, "let me commend unto your carefulness the pursuit and dignity of this business, than which your purses and endeavors will never open nor travel in a more meritorious enterprise. Take four of the best kingdoms in Christendom, and put them all together; they may no way compare with this country, either for commodities or goodness of soil." Lord Delaware and Sir Thomas Gates confirmed what Dale had written, and,

without any delay, Gates, who has the honor, to all posterity, of being the first named in the original patent for Virginia, conducted to the New World six ships, with three hundred emigrants. Long afterwards the gratitude of Virginia to these early emigrants was shown by repeated acts of benevolent legislation. A wise liberality sent also a hundred kine, as well as suitable provisions. It was the most fortunate step which had been taken, and proved the wisdom of Cecil, and others, whose firmness had prevailed.

\* The promptness of this relief merits admiration. In May, 1611. Dale had written from Virginia; and the last of August the new recruits, under Gates, were already at Jamestown. So unlooked for was this supply, that, at their approach, they were regarded with fear as a hostile fleet. Who can describe the joy at finding them to be friends? Gates assumed the government amidst the thanksgivings of the colony, and at once endeavored to employ the sentiment of religious gratitude as a foundation of order and of laws. "Lord bless England, our sweet native country," was the morning and evening prayer of the grateful emigrants. The colony now numbered seven hundred men. Dale, with the consent of Gates, went far up the river to found the new plantation, which, in honor of Prince Henry, a general favorite with the English people, was named Henrico; and there, on the remote frontier, Alexander Whitaker, the self-denying "apostle of Virginia," assisted in "bearing the name of God to the gentiles." But the greatest change in the condition of the colonists resulted from the incipient establishment of private property. To each man a few acres of ground were assigned for his orchard and garden, to plant at his pleasure and for his own use. So long as industry had been without its special reward, reluctant labor, wasteful of time, had been followed by want. Henceforward, the sanctity of private property was recognised. Yet the rights of the Indians were little respected; nor did the English disdain to appropriate by conquest the soil, the cabins, and the granaries of the tribe of the Appomattocks. It was, moreover; the policy of the government so "to overmaster the

subtile Powhatan" that he would perforce join with the colony in submissive friendship, or, finding "no room in his country to harbor in," would "leave it to their possession."

When the court of Spain learned that the English were appropriating the country on the Chesapeake, it made repeated threats of sending armed galleons into Virginia to remove the planters. In the summer of 1611, a Spanish caravel with a shallop anchored near Point Comfort, and, obtaining a pilot from the fort, took soundings of the channels. Yet no use was made of the knowledge thus acquired; for the colony was reported to be in such extremities that it could not but fall of itself.

While the colony was advancing in strength and happiness, the third patent for Virginia, signed in March, 1612, granted to the adventurers in England the Bemudas and all islands within three hundred leagues of the Virginia shore; a concession of no ultimate importance in American history, since the new acquisitions were soon transferred to a separate company. But now it further ordered that weekly or even more frequent meetings of the whole company might be convened for the transaction of ordinary business; while all questions respecting government, commerce, and the disposition of lands, should be reserved for the four great and general courts, at which all officers were to be elected and all laws established. The political rights of the colonists were not directly acknowledged; but the character of the corporation was entirely changed by transferring power from the council to the company, through whose assemblies the people of Virginia might gain leave to exercise every political power belonging to the people of England. A perverse financial privilege was, at the same time, conceded; and lotteries, though unusual in England, were authorized for the benefit of the colony. The lotteries produced to the company twenty-nine thousand pounds; disliked by the nation as a grievance, in 1621, on the complaint of the house of commons, they were suspended by an order of council.

There was no longer any doubt of the stability of the colony. They who had freely offered gifts, while "the holy

action" of planting it was "languishing and forsaken," saw the "pious and heroic enterprise" assured of success. Shakespeare, whose friend, the "popular" Earl of Southampton, was the foremost man in the Virginia company, shared the pride and the hope of his countrymen. As he heard of James River and Jamestown, his splendid prophecy, by the mouth of the Protestant Cranmer, promised the English nation the possession of a hemisphere, through the patron of colonies, King James:—

Wherever the bright sun of heaven shall shine,  
His honor and the greatness of his name  
Shall be, and make new nations; he shall flourish,  
And, like a mountain cedar, reach his branches  
To all the plains about him.

From Virginia came the first attempt to restrain the colonization of the French in North America. In the early spring which followed the grant of a third charter to the London company, Argall first made trading voyages up the Potomac, while he persuaded an Indian chief to betray Pocahontas into his hands, to be kept at Jamestown as a

ransom for the return of Englishmen held in captivity by her father. In May, he still further explored the eastern shore of the Chesapeake; not without hope of finding some short cut for boats and barges from the head of the bay to the Delaware. Then in his vessel, which carried fifteen guns and a crew of sixty men, he set forth on a fishing voyage to the Isle of Shoals. In the waters of New England, he heard of the establishment of the French on Mount Desert Isle. The colony had been planted at the expense of Madame de Guercheville, who had not only purchased the rights of De Monts, but had obtained a royal grant to colonize any part of America from the great river of Canada to Florida, excepting only Port Royal. Her earliest colony, consisting of three Jesuits and thirty men, had planted themselves on an inviting hillside that sloped gently toward the sea; and were sheltered in four pavilions, which had been the gift of the queen dowager of France, Mary of Medici. Of a sudden they beheld a ship tricked out in red, bearing the flag of England, with three trumpets and

two drums sounding violently, sailing under favoring winds into their harbor swifter than an arrow. It was Argall, with a force too great to be resisted. After cannonading the slight intrenchments, and a sharp discharge of musketry, he gained possession of the infant hamlet of St. Saviour. The cross round which the faithful had gathered was thrown down; the tents were abandoned to pillage; and the ship in the harbor seized as a prize, because captured between the forty-third and forty-fourth parallels of latitude, within the limits of Virginia. The French were expelled from the territory, but with no further act of inhumanity or cruelty; a part of them found their way to a vessel bound for St. Malo, others were taken to the Chesapeake.

On making his report at Jamestown, Argall was sent once more to the north, with authority to remove every landmark of France in the territory south of the forty-sixth degree. He raised the arms of England on the spot where those of France and De Guercheville had been thrown down; razed the fortifications of De Monts on the Isle of St. Croix; and set on fire the deserted settlement of Port Royal. In this manner, England vindicated her claim to Maine and Acadia. In less than a century and a half, the strife for acres which neither nation could cultivate kindled war round the globe. For the moment France, distracted by the factions which followed the assassination of Henry IV., did not resent the insult to her flag; and the complaint of Madame de Guercheville was presented only as a private claim.

Meantime the captivity of the daughter of Pow- 1613. hatan led to better relations between Virginia and the Indian tribes. For the sake of her liberation, the chief set free his English captives. During the period of her stay at Jamestown, John Rolfe, "an honest and discreet" young Englishman, daily, hourly, and, as it were, in his very sleep, heard a voice crying in his ears that he should strive to make her a Christian. After a great struggle of mind, and daily and believing prayers, he resolved to labor for the conversion of the "unregenerated maiden;" and, winning the favor of Pocahontas, he desired her in marriage. The youthful princess received instruction with docility; and soon, in

the little church of Jamestown, which rested on rough pine columns, fresh from the forest, she stood before the fount, ~~that~~ out of the trunk of a tree "had been hewn hollow like a canoe," "openly renounced her country's idolatry, professed the faith of Jesus Christ, and was baptized." "The gaining of this one soul," "the first fruits of Virginian conversion," was followed by her nuptials with Rolfe. In April, 1614, to the joy of Sir Thomas Dale, with the approbation of her father and friends, Opachisco, her uncle, gave the bride away; and she stammered before the altar her marriage vows.

Every historian of Virginia commemorates the union with approbation; distinguished men trace from it their descent. Its immediate fruits to the colony were a confirmed peace, not with Powhatan alone, but also with the powerful Chickahominies, who sought the friendship of the English, and demanded to be called Englishmen. But the European and the native races could not blend, and the weakest were doomed to disappear.

<sup>1614</sup> Sir Thomas Gates, who, in March, 1614, had left March. the government with Dale, on his return to England employed himself in reviving the courage of the London company. In May, 1614, a petition for aid was May 17. presented to the house of commons, and was heard with unusual solemnity. It was supported by Lord Delaware, whose affection for Virginia ceased only with life. He would have had the enterprise adopted by the house and king, even at the risk of a conflict with the Spaniards. "All it requires," said he, "is but a few honest laborers, burdened with children." He moved for a committee to consider of relief, but nothing was agreed upon. The king was eager to press upon the house the relief of his wants, and the commons to consider the grievances of the people; and these disputes with the monarch led to a hasty dissolution of the commons. It was not to privileged companies, parliaments, or kings, that the new state was to owe its prosperity. Agriculture enriched Virginia.

<sup>1613 to 1616.</sup> The condition of private property in lands, among the colonists, depended, in some measure, on the circumstances under which they had emigrated. To those

who had been sent and maintained at the exclusive cost of the company, and were its servants, one month of their time and three acres of land were set apart for them, besides an allowance of two bushels of corn from the public store; the rest of their labor belonged to their employers. This number gradually decreased; and, in 1617, there were of them all, men, women, and children, but fifty-four. Others, especially the favorite settlement near the mouth of the Appomattox, were tenants, paying two and a half barrels of corn as a yearly tribute to the store, and giving to the public service one month's labor, which was to be required neither at seed-time nor harvest. He who came himself, or had sent others at his own expense, had been entitled to a hundred acres of land for each person; now that the colony was well established, the bounty on emigration was fixed at fifty acres, of which the actual occupation and culture gave a right to as many more, to be assigned at leisure. Besides this, lands were granted as rewards of merit; yet not more than two thousand acres could be so appropriated to one person. A payment to the company's treasury of twelve pounds and ten shillings likewise obtained a title to any hundred acres of land not yet granted or possessed, with a reserved claim to as much more. Such were the earliest land laws of Virginia: though imperfect and unequal, they gave the cultivator the means of becoming a proprietor of the soil. These changes were established by Sir Thomas Dale, a magistrate who, notwithstanding the introduction of martial law, has gained praise for his vigor and industry, his judgment and conduct. Having remained five years in America, he appointed George Yeardley deputy governor; and with Pocahontas and her husband as the companions of his voyage, in June, 1616, he arrived in his native country. 1616.

The Virginia princess, instructed in the English language, and bearing an English name, "the first Christian ever of her nation," was wondered at in the city; entertained with unwonted festival state and pomp by the bishop of London, in his hopeful zeal by her to advance Christianity; and graciously received at court, where, on one of the holidays of the following Christmas season, she was 1617.

an honored guest at the presentment of a burlesque masque, which Ben Jonson had written to draw a hearty laugh from King James. A few weeks later, she prepared to return to the land of her fathers; but died at Gravesend as she was bound for home.

With the success of agriculture, the Virginians, <sup>1613 to</sup> ~~1617.~~ for the security of property, needed the possession of political rights. From the first settlement of Virginia, Sir Thomas Smythe had been the presiding officer of the London company; and no willingness had been shown to share the powers of government with the emigrants, who had thus far been ruled as soldiers in a garrison. Now that they had outgrown this condition of dependency, and were possessed of the elements of political life, they found among the members of the London company wise and powerful and disinterested friends. Yet in the appointment of a deputy governor the faction of Smythe still prevailed; and Argall, who had been his mercantile agent, was elected by ballot to supersede Yeardley as deputy governor of the colony. He was further invested with the place of admiral of the country and the adjoining seas; an evidence that his overthrow of the French settlements in the north was approved.

In May, 1617, Argall arrived in Virginia, and assumed its government. Placed above immediate control, he showed himself from the first arrogant, self-willed, and greedy of gain. Martial law was still the common law of the country, and his arbitrary rule "imported more hazard to the plantation than ever did any other thing that ~~befell~~ that action from the beginning." He disposed of the kine and bullocks belonging to the colony for his own benefit; he took to himself a monopoly of the fur-trade; he seized ancient colony men, who were free, and laborers who were in the service of the company, and forced them to work for himself.

Before an account of his malfeasance in office reached England, Lord Delaware, the governor-general, had been despatched by the company with two hundred men and supplies for the colony. He was followed by orders to ship the deputy governor home, where he was "to answer every thing that should be laid to his charge."

The presence of Lord Delaware might have restored tranquillity; his health was not equal to the voyage, and he did not live to reach Virginia. Argall was therefore left unrestrained to defraud the company, as well as to oppress the colonists. The condition of Virginia became intolerable; the labor of the settlers continued to be perverted to the benefit of the governor; servitude, for a limited period, was the common penalty annexed to trifling offences; and, in a colony where martial law still continued in force, life was insecure against his capricious passions. The first appeal ever made from America to England, directed not to the king, but to the company, was in behalf of one whom Argall had wantonly condemned to death, and whom he had with great difficulty been prevailed upon to spare. The colony was fast falling into disrepute, and the report of the tyranny established beyond the Atlantic checked emigration; but it also happily roused the discontent of the best of the adventurers. When on the fifth of October, 1618, the news of the death of Lord Delaware reached London, they demanded a reformation with guarantees for the future. After a strenuous contest on the part of rival factions for the control of the company, the influence of Sir Edwin Sandys and his friends prevailed; Argall was displaced, and the mild and popular Yeardley was elected governor in his stead, with higher rank. On Nov. 22. the twenty-second of November the king gave him audience, knighted him, and held a long discourse with him on the religion of the natives. Vessels lay in the Thames ready for Virginia; but before the new chief magistrate could reach his post, Argall had withdrawn, having previously, by fraudulent devices, preserved for himself and his partners the fruits of his extortions.

On the nineteenth of April, 1619, Sir George Yeardley entered on his office in the colony. 'Of April. The emigrants who had been sent over at great cost, not one in twenty then remained alive. "In James city were only those houses that Sir Thomas Gates built in the tyme of his government, with one wherein the governor allwayes dwelt, and a church, built wholly at the charge of

the inhabitants of that citye, of timber, being fifty foote in length and twenty in breadth." At Henrico, now Richmond, there were no more than "three old houses, a poore ruined church, with some few poore buildings in the islande." "For ministers to instruct the people, only three were authorized; two others had never received their orders." "The natives were upon doubtfull termes;" and the colony was altogether "in a poore estate."

From the moment of Yeardley's arrival dates the real life of Virginia. Bringing with him "commissions and instructions from the company for the better establishinge of a commonwealth," he made proclamation "that those cruell lawes, by which the ancient planters had soe longe been governed, were now abrogated, and that they were to be governed by those free lawes, which his majesties subjectes lived under in Englande." Nor were these concessions left dependent on the good-will of administrative officers. "That the planters might have a hande in the governing of themselves, yt was graunted that a generall assemblie shoulde be helde yearly once, whereat were to be present the governor and counsell with two burgesses from each plantation, freely to be elected by the inhabitantes thereof, this assemblie to have power to make and ordaine whatsoever lawes and orders should by them be thought good and profitable for their subsistence."

In conformity with these instructions, Sir George Yeardley "sente his summons all over the country, as well to invite those of the counsell of estate that were absente, as also for the election of burgesses."

Nor did the patriot members of the London company leave him without support. At the great and general court of the Easter term, Sir Thomas Smythe, having reluctantly professed a wish to be eased of his office, was dismissed; and Sir Edwin Sandys elected by a great majority governor and treasurer. For deputy, John Ferrar was elected by a like majority; and Nicholas Ferrar, the younger brother of the deputy, just turned of six-and-twenty, one of the purest and least selfish men that ever lived, who a few months before had returned from an extensive tour on the continent

of Europe, was made counsel to the corporation. The conduct of business gradually fell into the hands of the latter, who proved himself able and indefatigable in business, devoted to his country and its church, at once a royalist, and a wise and firm upholder of English liberties. In the early history of American colonization the English character nowhere showed itself to better advantage than in the Virginia company after the change in its direction.

It was therefore without any danger of being thwarted at home that on Friday, the thirtieth day of July, 1619, delegates from each of the eleven plantations of Virginia assembled at James City.

The inauguration of legislative power in the Ancient Dominion preceded the introduction of negro slavery. The governor and council sat with the burgesses, and took part in motions and debates. John Pory, a councillor and secretary of the colony, though not a burgess, was chosen speaker. Legislation was opened with prayer. The assembly exercised fully the right of judging of the proper election of its members ; and they would not suffer any patent, conceding manorial jurisdiction, to bar the obligation of obedience to their decisions. They wished every grant of land to be made with equal favor, that all complaint of partiality might be avoided, and the uniformity of laws and orders never be impeached. The commission of privileges sent by Sir George Yeardley was their "great charter," or organic act, which they claimed no right "to correct or control ;" yet they kept the way open for seeking redress, "in case they should find ought not perfectly squaring with the state of the colony."

Leave to propose laws was given to any burgess, or by way of petition to any member of the colony ; but, for expedition's sake, the main business of the session was distributed between two committees ; while a third body, composed of the governor and such burgesses as were not on those committees, examined which of former instructions "might conveniently put on the habit of laws." The legislature acted also as a criminal court.

The church of England was confirmed as the church of

Virginia; it was intended that the first four ministers should each receive two hundred pounds a year; all persons whatsoever, upon the Sabbath days, were to frequent divine service and sermons both forenoon and afternoon; and all such as bore arms, to bring their pieces or swords. Grants of land were asked not for planters only, but for their wives, "because, in a new plantation, it is not known whether man or woman be the most necessary." Measures were adopted "towards the erecting of a university and college." It was also enacted that, of the children of the Indians, "the most towardly boys in wit and graces of nature should be brought up in the first elements of literature, and sent from the college to the work of conversion" of the natives to the Christian religion. Penalties were appointed for idleness, gaming with dice or cards, and drunkenness. Excess in apparel was taxed in the church for all public contributions. The business of planting corn, mulberry trees, hemp, and vines was encouraged. The price of tobacco was fixed at three shillings a pound for the best, and half as much "for the second sort."

When the question was taken on accepting "the great charter," "it had the general assent and the applause of the whole assembly," with thanks for it to Almighty God and to those from whom it had issued, in the names of the burgesses and of the whole colony whom they represented: the more so, as they were promised the power to allow or disallow the orders of court of the London company.

A perpetual interest attaches to this first elective body that ever assembled in the western world, representing the people of Virginia, and making laws for their government, more than a year before the "Mayflower," with the pilgrims, left the harbor of Southampton, and while Virginia was still the only British colony on the continent of America. The functions of government were in some degree confounded; but the record of the proceedings justifies the opinion of Sir Edwin Sandys, that "the laws were very well and judiciously formed."

The enactments of these earliest American lawgivers were instantly put in force, without waiting for their ratification

by the company in England. Former griefs were buried in oblivion, and they who had been dependent on the will of a governor, having recovered the privileges of Englishmen, under a code of laws of their own, "fell to building houses and planting corn," and henceforward "regarded Virginia as their country."

The patriot party in England, who now controlled the London company, engaged with earnestness in schemes to advance the numbers and establish the liberties of their plantation. No intimidations, not even threats of blood, could deter Sir Edwin Sandys, the new treasurer, from investigating and reforming the abuses by which its progress had been retarded. At his accession to office, after twelve years' labor, and an expenditure of eighty thousand pounds by the company, there were in the colony no more than six hundred men, women, and children; and in one year the company and private adventurers made provision to send over twelve hundred and sixty-one persons.

To the other titles of "the high empress" Elizabeth, Spenser had, just before the end of the sixteenth century, added that of "queen of Virginia;" King James, who was already the titular sovereign of four realms, now accepted as the motto for the London company's coat-of-arms: "Lo! Virginia gives a fifth crown." A strong interest took hold of the people of England; gifts and bequests came in for "the sacred work" of founding a colonial college and building up the colonial church. There were two poets, of whose works Richard Baxter said that he found "none so savoury next to the Scripture poems." Of these, George Sandys, son of the archbishop of York, himself repaired to Virginia as its resident treasurer, to assist in establishing "a rich and well peopled kingdom;" and George Herbert, the bosom friend of Nicholas Ferrar, expressed the feeling of the best men of England when he wrote:— Religion stands on tip-toe in our land,  
Readie to passe to the American strand.

The quarter session, held on the seventeenth of May, 1620, was attended by near five hundred persons, among whom were twenty great peers of the 1620.  
May 17

land; near a hundred knights of the kingdom; as many more officers of the army, and renowned lawyers; and numerous merchants and men of business. It was the general wish of the company to continue Sir Edwin Sandys in his high office; but, before they proceeded to ballot, an agent from the palace presented himself with the message that, out of especial care for the plantation, the king nominated unto them four, of whom his pleasure was the company should choose one to be their treasurer. Desiring the royal messenger to remain, Southampton entered into a defence of the patent, and added: "The hopeful country of Virginia is a land which will find full employment for all needy people, will provide estates for all younger brothers, gentlemen of this kingdom, and will supply this nation with commodities we are fain to fetch from foreign nations, from doubtful friends, yea, from heathen princes. This business is of so great concernment that it never can be too solemnly, too thoroughly, or too publicly examined." Sir Laurens' Hyde, the learned lawyer, asked that the patent given under the great seal of England, the hand and honor of a king, might be produced. "The patent!" "The patent!" cried all; and, when it was brought forth and read, Hyde went on: "You see the point of electing a governor is thereby left to your own free choice." It was then agreed that the election should be put off until the next great and general court in midsummer term; and a committee of twelve, with Southampton at their head, was in the interim to beseech his majesty not to take from them the privilege of their letters patent. Their right was so clear that the king explained away his interference: as he had intended no more than to recommend the persons whom he nominated, and not to bar the company from the choice of any other.

When at the quarter session, near the end of June, Sir Edwin Sandys, yielding to the ill-will of the king, withdrew from competition, "the whole court immediately, with much joy and applause, nominated the Earl of Southampton;" and, resolving "to surcease the balloting box," chose him by erection of hands. In response, he desired them all to put on the same minds with which he accepted the place of treasurer.

He made the condition that his friend, Sir Edwin Sandys, should give him assistance; and these, with Nicholas Ferrar, were the men who for a time managed "the great work of redeeming the noble plantation of Virginia from the ruins that seemed to hang over it;" the first celebrated for wisdom, eloquence, and sweet deportment; Sandys, for knowledge and integrity; and Nicholas Ferrar, for ability, unwearied diligence, and the strictest virtue. All three were sincere members of the British church: the first, a convert from papacy; the last, pious even to a romantic excess: all three were royalists; and all three were animated by that love of liberty which formed a part of the hereditary patriotism of an Englishman.

Under their harmonious direction, the policy of the former year was continued; and more than eleven hundred persons found their way annually to Virginia. Nor must the character of the emigration be overlooked. "The people of Virginia had not been settled in their minds," and as, before the recent changes, they retained the design of ultimately returning to England, it was necessary to multiply attachments to the soil. Few women had dared to cross the Atlantic; but now the promise of prosperity induced ninety agreeable persons, young and incorrupt, to listen to the advice of Sandys, and embark for the colony, where they were assured of a welcome. They were transported at the expense of the company, and were married to its tenants, or to men who were able to support them, and who willingly defrayed the costs of their passage, which were rigorously demanded. The adventure, which had been in part a mercantile speculation, succeeded so well that it was proposed to send the next year another consignment of one hundred; but, before these could be collected, the company found itself so poor that its design could be accomplished only by a subscription. After some delays, sixty were actually despatched, maids of virtuous education, young, handsome, and well recommended. The price rose from one hundred and twenty to one hundred and fifty pounds of tobacco, or even more; so that all the original charges might be repaid. The debt

1620.

1621.

for a wife was a debt of honor, and took precedence of any other; and the company, in conferring employments, gave a preference to married men. With domestic ties, <sup>1619 to 1621.</sup> habits of thrift were formed. Within three years, fifty patents for land were granted, and a state rose on solid foundations in the New World. Virginia was a place of refuge even for Puritans.

Beside providing for emigration, the company, under the lead of Southampton, proceeded to redress former wrongs, and to protect colonial liberty by written guarantees. In the case of the appeal to the London company from sentence of death pronounced by Argall, his friends, with the Earl of Warwick at their head, excused him by pretending that martial law is the noblest kind of trial, because soldiers and men of the sword were the judges. This opinion was overthrown, and the right of the colonists to trial by jury sustained. Nor was it long before the freedom of the northern fisheries was equally asserted, and the monopoly of a rival corporation successfully opposed. Lord Bacon, who, at the time of Newport's first voyage with emigrants for Virginia, classed the enterprise with the romance of "Amadis de Gaul," now said of the plantation: "Certainly it is with the kingdoms of earth as it is in the kingdom of heaven, sometimes a grain of mustard-seed proves a great tree. Who can tell?" "Should the plantation go on increasing as under the government of that popular Lord Southampton," said Gondomar, then Spanish ambassador in England, "my master's West Indies and his Mexico will shortly be visited, by sea and by land, from those planters in Virginia."

The company had silently approved the colonial assembly which had been convened by Sir George Yeardley; on the twenty-fourth of July, 1621, a memorable ordinance established for the colony a written constitution. The prescribed form of government was analogous to the English constitution, and was, with some modifications, the model of the systems which were afterwards introduced into the various royal provinces. Its purpose was declared to be "the greatest comfort and benefit to the people, and the prevention of

injustice, grievances, and oppression." Its terms are few and simple: a governor, to be appointed by the company; a permanent council, likewise to be appointed by the company; a general assembly, to be convened yearly, and to consist of the members of the council, and of two burgesses to be chosen from each of the several plantations by the respective inhabitants. The assembly might exercise full legislative authority, a negative voice being reserved to the governor; but no law or ordinance would be valid, unless ratified by the company in England. It was further agreed that, after the government of the colony should have once been framed, no orders of the court in London should bind the colony, unless they should in like manner be ratified by the general assembly. The courts of justice were required to conform to the laws and manner of trial used in the realm of England.

Such was the constitution which Sir Francis Wyatt, the successor of the mild but inefficient Yeardley, was commissioned to bear to the colony. The system of representative government and trial by jury thus became in the new hemisphere an acknowledged right. On this ordinance Virginia erected the superstructure of her liberties. Its influences were wide and enduring, and can be traced through all her history. It constituted the plantation, in its infancy, a nursery of freemen; and succeeding generations learned to cherish institutions which were as old as the first period of the prosperity of their fathers. The privileges then conceded could never be wrested from the Virginians; and, as new colonies arose at the south, their proprietaries could hope to win emigrants only by bestowing franchises as large as those enjoyed by their elder rival. The London company merits the praise of having auspicated liberty in America. It may be doubted whether any public act during the reign of King James was of more permanent or pervading influence; and it reflects honor on Sir Edwin Sandys, the Earl of Southampton, Nicholas Ferrar, and the patriot royalists of England, that, though they were unable to establish guarantees of a liberal administration at home, they were careful to connect popular freedom inseparably with the life, prosperity, and state of society of Virginia.

## CHAPTER V.

## SLAVERY. DISSOLUTION OF THE LONDON COMPANY.

WHILE Virginia, by the concession of a representative government, was constituted the asylum of liberty, by one of the strange contradictions in human affairs it became the abode of hereditary bondsmen. The unjust, wasteful, and unhappy system was fastened upon the rising institutions of America, not by the consent of the corporation nor the desires of the emigrants; but, as it was introduced by the mercantile avarice of a foreign nation, so it was subsequently riveted by the policy of England, without regard to the interests or the wishes of the colony.

Slavery and the slave-trade, though not so old as freedom, are older than the records of human society: they are found to have existed wherever the savage hunter began to assume the habits of pastoral or agricultural life; and, with the exception of Australasia, they have extended to every portion of the globe. They pervaded every nation of civilized antiquity. The earliest glimpses of Egyptian history exhibit pictures of bondage; the oldest monuments of human labor on the Egyptian soil are evidently the results of slave labor. The founder of the Jewish nation was a slave-holder and a purchaser of slaves. Every patriarch was lord in his own household. \*

The Hebrews, when they burst the bands of their own thraldom, carried with them beyond the desert the institution of slavery. The light that broke from Sinai scattered the illusions of polytheism; but slavery planted itself even in the promised land. The Hebrew father might doom his daughter to bondage; the wife and children and posterity of the emancipated slave remained the property of the master and his heirs; and if a slave, though mortally wounded by his master, did but languish of his wounds for a day, the

owner escaped with impunity; for the slave was his master's money. It is even probable that, at a later period, a man's family might be sold for the payment of debts.

The countries that bordered on Palestine were equally familiar with domestic servitude; and Tyre, the oldest and most famous commercial city of Phœnicia, was, like Babylon, a market "for the persons of men." The Scythians of the desert had already established slavery throughout the plains and forests of the unknown north.

Old as are the traditions of Greece, the existence of slavery is older. The wrath of Achilles grew out of a quarrel for a slave; the Grecian dames had crowds of servile attendants; the heroes before Troy made excursions into the neighboring villages and towns to enslave the inhabitants. Greek pirates, roving, like the corsairs of Barbary, in quest of men, laid the foundations of Greek commerce; each commercial town was a slave-mart; and every cottage near the seaside was in danger from the kidnapper. Greeks enslaved each other. The language of Homer was the mother tongue of the Helots; the Grecian city that made war on its neighbor city exulted in its captives as a source of profit; the hero of Macedon sold men of his own kindred and language into hopeless slavery. More than four centuries before the Christian era, Alcidamas, a pupil of Gorgias, taught that "God has sent forth all men free; nature has made no man slave." While one class of Greek authors of that period confounded the authority of master and head of a family, others asserted that the relation of master and slave is conventional; that freedom is the law of nature, which knows no difference between master and slave; that slavery is therefore the child of violence, and inherently unjust. "A man, O my master," so speaks the slave in a comedy of Philemon, "because he is a slave, does not cease to be a man. He is of the same flesh with you. Nature makes no slaves." Aristotle, though he recognises "living chattels" as a component part of the complete family, has left on record his most deliberate judgment, that the prize of freedom should be placed within the reach of every slave. Yet the idea of universal free labor was only a dormant bud, not to be

quickened for many centuries. In every Grecian republic slavery was an element.

The diffusion of bondage throughout the dominions of Rome, and the severities of the law towards the slave, hastened the fall of the commonwealth. The power of the father to sell his children, of the creditor to sell his insolvent debtor, of the warrior to sell his captive, carried the influence of the institution into the bosom of every family; into the conditions of every contract; into the heart of every unhappy land that was invaded by the Roman eagle. The slave-markets of Rome were filled with men of various nations and colors. "Slaves are they!" writes Seneca; "say that they are men." "By the law of nature, all men are born free," are the words of Ulpian, who held that slavery first came in by the law of man. The Roman digests pronounced slavery "contrary to nature."

The middle age witnessed rather a change in the channels of the slave-trade, than a diminution of its evils. The pirate and the kidnapper and the conqueror still continued their pursuits. The Saxon race carried the most repulsive forms of slavery to England, where not half the population could assert a right to freedom, and where the price of a man was but four times the price of an ox. The importation of foreign slaves was freely tolerated; in defiance of severe penalties, the Saxons sold their own kindred into slavery on the continent; nor could the traffic be checked, till religion, pleading the cause of humanity, made its appeal to conscience. Even after the conquest, slaves were <sup>1102.</sup> exported from England to Ireland, till the reign of Henry II., when a national synod of the Irish, to remove the pretext for an invasion, decreed the emancipation of all English slaves in the island.

The German nations made the shores of the Baltic the scenes of the same desolating traffic; and the Dnieper formed the highway on which Russian merchants conveyed to Constantinople the slaves that had been purchased in the markets of Russia. The wretched often submitted to bondage, as the only refuge from want. But it was the long wars between German and Slavonic tribes which imparted

to the slave-trade its greatest activity, and filled France and the neighboring states with such numbers of victims that they gave the name of the Slavonic nation to servitude itself; and every country of Western Europe still preserves in its language the record of the barbarous traffic in "Slaves."

Nor did France abstain from the slave-trade. At Lyons and Verdun, the Jews were able to purchase slaves for their Saracen customers.

In Sicily, and perhaps in Italy, the children of Asia and Africa, in their turn, were exposed for sale. In the extremity of poverty, the Arab father would sometimes pawn even his children to the Italian merchant, in the vain hope of soon effecting their ransom. Rome itself long remained a mart where Christian slaves were exposed for sale, to supply the domestic market of Mahometans. The Venetians, in their commercial intercourse with the ports of unbelieving nations, as well as with Rome, purchased alike infidels and Christians, and sold them again to the Arabs in Sicily and Spain. Christian and Jewish avarice supplied the slave-market of the Saracens. What though the trade was exposed to the censure of the church, and prohibited by the laws of Venice? It could not be effectually checked, till, by the Venetian law, no slave might enter a Venetian ship, and to tread the deck of an argosy of Venice became the privilege and the evidence of freedom.

The spirit of the Christian religion might, before the discovery of America, have led to the abolition of the slave-trade, but for the hostility between the Christian church and the followers of Mahomet. In the twelfth century, Pope Alexander III., true to the spirit of his office, which, during the supremacy of brute force in the middle age, made of the chief minister of religion the tribune of the people and the guardian of the oppressed, had written that, "nature having made no slaves, all men have an equal right to liberty." But the slave-trade had never relented among the Mahometans: the captive Christian had no alternative but apostasy or servitude, and the captive infidel was treated in Christendom with corresponding intolerance. In the camp

of the leader whose pious arms redeemed the sepulchre of Christ from the mixed nations of Asia and Libya, the price of a war-horse was three slaves. The Turks, whose law forbade the enslaving of Mussulmans, continued to sell Christian and other captives; and the famous captain of Virginia relates that he was himself a fugitive from Turkish bondage.

All this might have had no influence on the destinies of America, but for the long and doubtful struggles between Christians and Moors in the west of Europe; where, for more than seven centuries, and in more than three thousand battles, the two religions were arrayed against each other; and bondage was the reciprocal doom of the captive. Bigotry inflamed revenge, and animated the spirit of merciless and exterminating warfare. France and Italy were filled with Saracen slaves; the number of them sold into Christian bondage exceeded the number of all the Christians ever sold by the pirates of Barbary. The clergy, who had pleaded successfully for the Christian, felt no sympathy for the unbeliever. The final victory of the Spaniards over the Moors of Granada, an event contemporary with the discovery of America, was signalized by a great emigration of the Moors to the coasts of Northern Africa, where each mercantile city became a nest of pirates, and every Christian the wonted booty of the successful corsair. Servitude was thus the doom of the Christian in Northern Africa: the hatred of the Moorish dominion extending to all Africa, an indiscriminate and retaliating bigotry felt no remorse at dooming the sons of Africa to bondage. All Africans were esteemed as Moors.

The amelioration of the customs of Europe had proceeded from the influence of religion. It was the clergy who had broken up the Christian slave-markets at Bristol and at Hamburg, at Lyons and at Rome. The jurists of France came to their aid; and in language addressed half to the courts of law and half to the people, in 1815. July, 1815, Louis X. by their advice published the ordinance, that by the law of nature every man ought to be born free, that serfs were held in bondage only by a

suspension of their early and natural rights, that liberty should be restored to them throughout the kingdom so far as the royal power extended ; and all masters of slaves were invited to follow his example by bringing them all back to their original state of freedom. Some years later, John de Wycliffe asserted strongly the unchristian character of slavery. At the epoch of the discovery of America, the moral opinion of the civilized world had abolished the traffic in Christian slaves, and was fast demanding the emancipation of the serfs : but bigotry had favored a compromise with avarice ; and the infidel was not yet included within the pale of humanity.

Yet negro slavery is not an invention of the white man. As Greeks enslaved Greeks, as the Hebrew often consented to make the Hebrew his absolute lord, as Anglo-Saxons trafficked in Anglo-Saxons, so the negro race enslaved its own brethren. The oldest accounts of the land of the negroes, like the glimmering traditions of Egypt and Phoenicia, of Greece and of Rome, bear witness to the existence of domestic slavery and the caravans of dealers in negro slaves. The oldest Greek historian commemorates the traffic. Negro slaves were seen in classic Greece, and were known at Rome and in the Roman empire. From about the year 990, regular accounts of the negro slave-trade exist. At that period, Moorish merchants from the Barbary coast first reached the cities of Nigritia, and established an uninterrupted exchange of Saracen and European luxuries for the gold and slaves of Central Africa. Whole caravans were sometimes buried in the sands of the desert, and at others were without shade and without water ; yet the commerce extended because it was profitable. Before Columbus had opened the path to a new world, the negro slave-trade had been reduced to a system by the Moors, and had spread from the native regions of the Ethiopian race to the heart of Egypt on the one hand, and to the coasts of Barbary on the other. The traffic of Europeans in negro slaves was established before the colonization of the United States, and had existed a half century before the discovery of America.

1415. Not long after the first conquests of the Portuguese in Barbary, the passion for gain, the love of conquest, and the hatred of the infidels, conducted their navy to the ports of Western Africa ; and the first ships which 1416. sailed so far south as Cape Blanco returned not with negroes, but with Moors. The subjects of this importation were treated not as laborers, but rather as strangers, from whom information respecting their native country was to be derived. Antony Gonzalez, who 1417. had brought them to Portugal, was commanded to restore them to their ancient homes. He did so ; and the Moors gave him as their ransom not gold only, but "black Moors" with curled hair. Thus negro slaves came into Europe ; and mercantile cupidity immediately observed that they might become an object of lucrative commerce. Other ships were despatched without delay.

Spain also engaged in the traffic : the historian of her maritime discoveries even claims for her the unenviable distinction of having anticipated the Portuguese in introducing negroes into Europe. The merchants of Seville imported gold dust and slaves from the western coast of Africa ; and negro slavery, though the severity of bondage was mitigated by benevolent legislation, was established in Andalusia, and "abounded in the city of Seville," before the enterprise of Columbus was conceived.

The maritime adventurers of those days, joining the principles of bigots with the bold designs of pirates and heroes, esteemed the wealth of the countries which they might discover as their rightful plunder, and the inhabitants, if Christians, as their subjects, if infidels, as their slaves. Even Indians of Hispaniola were imported into Spain. Cargoes of the natives of the north were early and repeatedly kidnapped. The coasts of America, like the coasts of Africa, were visited by ships in search of laborers ; and there was hardly a convenient harbor on the Atlantic frontier of the United States which was not entered by slavers. The native Indians themselves were ever ready to resist the treacherous merchant ; the freemen of the wilderness, unlike the Africans, among whom slavery had existed from imme-

morial time, would never abet the foreign merchant, or become his factors in the nefarious traffic. Fraud and force remained, therefore, the means by which, near Newfoundland or Florida, on the shores of the Atlantic, or among the Indians of the Mississippi valley, Cortereal and Vasquez de Ayllon, Porcallo and Soto, with private adventurers, whose names and whose crimes may be left unrecorded, transported the natives of North America into slavery in Europe and the Spanish West Indies. The glory of Columbus himself did not escape the stain: enslaving five hundred native Americans, he sent them to Spain, that they might be publicly sold at Seville. The generous Isabella commanded the liberation of the Indians held in bondage in her European possessions. Yet her active benevolence extended neither to the Moors, whose valor had been punished by slavery, nor to the Africans; and even her compassion for the New World was but the transient feeling, which relieves the miserable who are in sight, not the deliberate application of a just principle. The commissions for making discoveries, issued a few days before and after her interference to rescue those whom Columbus had enslaved, reserved for herself and Ferdinand a fourth part of the slaves which the new kingdoms might contain. The slavery of Indians was recognised as lawful.

1494.

1500.

June 5  
and  
July 5.

1501.

The practice of selling the natives of North America into foreign bondage continued for nearly two centuries; and even the sternest morality pronounced the sentence of slavery and exile on the captives whom the field of battle had spared. The excellent Winthrop enumerates Indians among his bequests. The articles of the early New England confederacy class persons among the spoils of war. A scanty remnant of the Pequod tribe in Connecticut, the captives treacherously made by Waldron in New Hampshire, the harmless fragments of the tribe of Annawon, the orphan offspring of King Philip himself, were all doomed to the same hard destiny of perpetual bondage. The clans of Virginia and Carolina, for more than a hundred years, were hardly safe against the kidnapper. The universal public mind was long and deeply vitiated.

It was not Las Casas who first suggested the plan of transporting African slaves to Hispaniola; Spanish slave-holders, as they emigrated, took with them their negroes.

The emigration may at first have been contraband; but a royal edict of 1501 permitted negro slaves, born in slavery among Christians, to be transported to Hispaniola. Within two years, there were such numbers of Africans in Hispaniola that Ovando, the governor of the island, entreated that the importation might no longer be permitted. For a short time the Spanish government forbade the introduction of negro slaves, who had been bred in Moorish families, and allowed only those who were said to have been instructed in the Christian faith to be transported to the West Indies, under the plea that they might assist in converting the infidel nations. But the idle pretence was soon abandoned. Besides, the culture of sugar was now successfully begun; and the system of slavery, already riveted, was not long restrained by the scruples of men in power. King Ferdinand himself sent from Seville fifty slaves to labor in the mines, and promised to send more; and, because it was said that one negro could do the work of four Indians, the direct

transportation of slaves from Guinea to Hispaniola was, in 1511, enjoined by a royal ordinance, and deliberately sanctioned by repeated decrees in the following years. Was it not natural that Charles V., a youthful monarch, surrounded at his accession in 1516 by rapacious courtiers, should have readily granted licenses to the Flemings to transport negroes to the colonies? The benevolent Las Casas, who felt for the native inhabitants of the New World all that an ardent charity and the purest missionary zeal could inspire, and who had seen them vanish away, like dew, before the cruelties of the Spaniards, while the African thrived in robust health under the sun of Hispaniola, in the year 1517, which saw the dawn of the Reformation in Germany suggested that negroes might still further be employed to perform the severe toils which they alone could endure. The avarice of the Flemings greedily seized on the expedient;

the board of trade at Seville was consulted, to learn how many slaves would be required. It had been proposed to allow four for each Spanish emigrant; deliberate calculation fixed the number esteemed necessary at four thousand. The year in which Charles V. led an expedition against Tunis, to check the piracies of the Barbary states and to emancipate Christian slaves in Africa, 1518. he gave an open sanction to the African slave-trade. The sins of the Moors were to be revenged on the negroes; and the monopoly, for eight years, of annually importing four thousand slaves into the West Indies, was eagerly seized by La Bresa, a favorite of the Spanish monarch, and was sold to the Genoese, who purchased their cargoes of Portugal. We shall, at a later period, observe a stipulation for this lucrative monopoly, in a treaty of peace, established by a European congress; shall witness the sovereign of the most free state in Europe chaffering for a fourth part of its profits; and shall trace its intimate connection with the first in that series of wars which led to the emancipation of America. Las Casas lived to repent of his hasty benevolence, declaring afterwards that the captivity of black men is as iniquitous as that of Indians; and he feared the wrath of divine justice for having favored the importation of negro slaves into the western hemisphere. But covetousness, and not a mistaken compassion, established the slave-trade, which had nearly received its development before the voice of charity was heard in defence of the Indians. Reason, policy, and religion alike condemned the traffic. A series of papal bulls had indeed secured to the Portuguese the exclusive commerce with Western Africa; but the slave-trade between Africa and America was, I believe, never expressly sanctioned by the see of Rome. Even Leo X., though his voluptuous life, making of his pontificate a continued carnival, might have deadened the sentiments of humanity and justice, declared that "not the Christian religion only, but nature herself, cries out against the state of slavery." Yet Paul III., when in a bull of the thirtieth of August, 1535, he called upon all princes to take up arms against the rebellious Henry VIII. of

England and his accomplices, gave authority to make slaves of every English person who would not assist in the <sup>1537.</sup> ~~expulsion~~ <sup>June 10.</sup> of their king. But, two years later, the same pontiff, in two separate briefs, imprecated a curse on the Europeans who should enslave Indians, or any other class of men. It even became usual for Spanish vessels, when they sailed on a voyage of discovery, to be attended by a priest, whose duty it was to prevent the kidnapping of the aborigines. The legislation of independent America has been emphatic in denouncing the hasty avarice which entailed the anomaly of negro slavery in the midst of liberty. Ximenes, the gifted coadjutor of Ferdinand and Isabella, the stern grand inquisitor, the austere but ambitious Franciscan, foresaw the danger which it required centuries to reveal, and refused to sanction the introduction of negroes into Hispaniola; believing that the favorable climate would increase their numbers, and infallibly lead them to a successful revolt. A severe retribution has manifested his sagacity: Hayti, the first spot in America that received African slaves, was the first to set the example of African liberty. But for the slave-trade, the African race would have had no inheritance in the New World.

The odious distinction of having first interested England in the slave-trade belongs to Sir John Hawkins. In <sup>1562.</sup> 1562, he transported a large cargo of Africans to Hispaniola; the rich returns of sugar, ginger, and pearls, attracted the notice of Queen Elizabeth; and <sup>1567.</sup> when, five years later, a new expedition was prepared, she was induced not only to protect, but to share the traffic. Hawkins himself relates of one of his expeditions, that he set fire to a city, of which the huts were covered with dry palm-leaves, and, out of eight thousand inhabitants, succeeded in seizing two hundred and fifty. The self-approving frankness with which he avows the deed, and the lustre which his fame acquired, display the depravity of public sentiment in his time. In all other emergencies, he knew how to pity the unfortunate, and with cheerful liberality relieve their wants, even when they were not his countrymen. Yet the commerce, on the part of the English,

in Spanish ports was by the laws of Spain illicit, as well as by the laws of morals detestable; and when the sovereign of England participated in its hazards, its profits, and its crimes, she became at once a smuggler and a slave-merchant.

The earliest importation of negro slaves into New England was made in 1637, from Providence Isle, 1637. in the Salem ship "Desire." A ship of one James 1645. Smith, a member of the church of Boston, and one Thomas Keyser, first brought upon the colonies the guilt of participating in the direct traffic with Africa for slaves. In 1645, they sailed "for Guinea to trade for negroes." When they arrived there, they joined with "some Londoners," and "upon the Lord's day invited the natives aboard one of their ships." Such as came they kept prisoners. Then, landing men, they assaulted a town, which they burned, killing some of the people. But throughout Massachusetts, where slavery could plead the sanction of positive law, and where a very few blacks as well as Indians were already held in bondage, a cry was raised against "such vile and most odious courses, abhorred of all good and just men." Richard Saltonstall, a worthy assistant, who "truly endeavored the advance of the gospel, and the good of the people," denounced the "acts of murder, of stealing negroes, and of chasing them upon the Sabbath day," as "directly contrary to the laws of God and the laws of this jurisdiction;" the guilty men were committed for the offence, and escaped punishment only because the court could not take cognizance of crimes committed in foreign lands. In the next year, after advice with 1646. the elders, the representatives of the people, bearing "witness against the heinous crime of man-stealing," ordered the negroes to be restored, at the public charge, "to their native country, with a letter expressing the indignation of the general court" at their wrongs.

When George Fox visited Barbados in 1671, he enjoined it upon the planters that they should "deal mildly and gently with their negroes; and that, after certain years of servitude, they should make them free." His idea had

been anticipated by the fellow-citizens of Gorton and Roger Williams. On the eighteenth of May, 1652, the representatives of Providence and Warwick, perceiving the disposition of people in the colony "to buy negroes," and hold them "as slaves for ever," enacted that "no black mankind" shall, "by covenant, bond, or otherwise," be held to perpetual service; the master, "at the end of ten years, shall set them free, as the manner is with English servants; and that man that will not let" his slave "go free, or shall sell him away, to the end that he may be enslaved to others for a longer time, shall forfeit to the colony forty pounds." Now forty pounds was nearly twice the value of a negro slave. The law was not enforced; but the principle lived among the people.

Conditional servitude, under indentures or covenants, had from the first existed in Virginia. Once at least James sent over convicts, and once at least the city of London a hundred homeless children from its streets. The servant stood to his master in the relation of a debtor, bound to discharge the costs of emigration by the entire employment of his powers for the benefit of his creditor. Oppression early ensued: men, who had been transported into Virginia at an expense of eight or ten pounds, were sometimes sold for forty, fifty, or even threescore pounds. White servants came to be a usual article of traffic. They were sold in England to be transported, and in Virginia were resold to the highest bidder; like negroes, they were to be purchased on shipboard, as men buy horses at a fair. In 1672, the average price in the colonies, where five years of service were due, was about ten pounds; while a negro was worth twenty or twenty-five pounds. So usual was this manner of dealing in Englishmen, that not the Scots only, who were taken in the field of Dunbar, were sent into involuntary servitude in New England, but the royalist prisoners of the battle of Worcester; and the leaders in the insurrection of Penruddoc, in spite of the remonstrance of Haselrig and Henry Vane, were shipped to America. At the corresponding period, in Ireland, the crowded exportation of Irish Catholics was a frequent event, and was attended

by aggravations hardly inferior to the usual atrocities of the African slave-trade. In 1685, when nearly a thousand of the prisoners, condemned for participating in the insurrection of Monmouth, were sentenced to transportation, men and women of influence at court scrambled for the convicted insurgents as a merchantable commodity.

The condition of apprenticed servants in Virginia differed from that of slaves chiefly in the duration of their bondage; and the laws of the colony favored their early enfranchisement. But this state of labor easily admitted the introduction of perpetual servitude. The commerce of Virginia had been at first monopolized by the company; but, as its management for the benefit of the corporation led to frequent dissensions, it was in 1620 laid open to free competition. In the month of August, 1619, a few days only after the first representative assembly of Virginia, about sixteen months before the Plymouth colony landed in America, and less than two years before the concession of a written constitution, and five years after the commons of France had petitioned for the emancipation of every serf in every fief, a Dutch man-of-war entered James River, and landed twenty negroes for sale. This is, indeed, the sad epoch of the introduction of negro slavery in the English colonies; but the traffic would have been checked in its infancy, had its profits remained with the Dutch. Thirty years after this first importation of Africans, the increase had been so inconsiderable that to one black Virginia contained fifty whites; and, after seventy years of its colonial existence, the number of its negro slaves was proportionably much less than in several northern states at the time of the war of independence. Had no other form of servitude been known in Virginia than such as had been tolerated in Europe, every difficulty would have been promptly obviated by the benevolent spirit of colonial legislation. But a new problem in the history of man was now to be solved. For the first time, the Ethiopian and Caucasian races were to meet together in nearly equal numbers beneath a temperate zone. Who could foretell the issue? The negro race, from its introduction, was regarded with disgust, and its union

with the whites forbidden under ignominious penalties. For many years the Dutch were principally concerned in the slave-trade in the market of Virginia; the immediate demand for laborers may, in part, have blinded the eyes of the planters to the cumulative evils of slavery, though the laws of the colony, at a very early period, discouraged its increase by a special tax upon female slaves.

If Wyatt, on his arrival in Virginia in 1621, found <sup>1621.</sup> the evil of negro slavery engrafted on the social system, he brought with him the memorable ordinance, on which the fabric of colonial liberty was to rest, and which was interpreted by his instructions in a manner favorable to the independent rights of the colonists. Justice was established on the basis of the laws of England, and an amnesty of ancient feuds proclaimed. As Puritanism had appeared in Virginia, "needless novelties" in the forms of worship were now prohibited. The order to search for minerals betrays a lingering hope of finding gold; while the injunction to promote certain kinds of manufactures was ineffectual, because labor could otherwise be more profitably employed.

The business which occupied the first session under <sup>1621.</sup> <sub>Nov. & Dec.</sub> the written constitution related chiefly to the encouragement of domestic industry. The culture of silk engaged the attention of the assembly; but silk-worms could not be cared for where every comfort of household existence required to be created. As little was the successful culture of the vine possible, although the company had repeatedly sent vine-dressers, who had been set to work under the terrors of martial law, and whose efforts were continued after the establishment of regular government. It is a law of nature that, in a new country under the temperate zone, corn and cattle will be raised before silk or wine. The first culture of cotton in the United States deserves commemoration. In 1621, the seeds were planted as an experiment; and their "plentiful coming up" was, at that early day, a subject of interest in America and England. From this year, too, dates the sending of beehives to Virginia, and of skilful workmen to extract iron from the ore. At

the instance of George Sandys, five-and-twenty shipwrights came over in 1622.

Nor did the benevolence of the company neglect to establish places of education, and provide for the support of religious worship. The bishop of London collected and paid a thousand pounds towards a university; which, like the several churches of the colony, was liberally endowed with domains, and fostered by public and private charity. But the system of obtaining a revenue through a permanent tenantry could meet with no success, for it was not in harmony with the condition of colonial society.

Between the Indians and the English there had been 1622. quarrels, but no wars. From the first landing of colonists in Virginia, the power of the natives was despised; their strongest weapons were such arrows as they could shape without the use of iron, such hatchets as could be made from stone; and an English mastiff seemed to them a terrible adversary. Nor were their numbers considerable. Within sixty miles of Jamestown, it is computed, there were no more than five thousand souls, or about fifteen hundred warriors. The territory of the clans which listened to Powhatan, as their leader or their conqueror, comprehended about eight thousand square miles, thirty tribes, and twenty-four hundred warriors; so that the Indian population amounted to about one inhabitant to a square mile. The natives dwelt dispersed in hamlets, with from forty to sixty in each company. Few places had more than two hundred; and many had less. It was unusual for any large portion of these tribes to be assembled together. A tale of an ambuscade of three or four thousand is perhaps an error for three or four hundred; otherwise it is an extravagant fiction. Smith once met a party, that was boastfully reported to amount to seven hundred; and, so complete was the superiority conferred by the use of fire-arms, that with fifteen men he withstood them all. The savages were therefore regarded with contempt or compassion. No uniform care had been taken to conciliate their good-will; although their condition had been improved by some of the arts of civilized life. When Wyatt arrived, the natives expressed a fear lest this

intentions should be hostile: he assured them of his wish to preserve inviolable peace; and the emigrants had no use for fire-arms except against a deer or a fowl. Confidence so far increased, that the old law, which made death the penalty for teaching the Indians to use a musket, was forgotten; and they were now employed as fowlers and huntsmen. The plantations of the English were widely extended, in unsuspecting confidence, along the James River and towards the Potomac, wherever rich grounds invited to the culture of tobacco; nor were solitary places, remote from neighbors, avoided, since there would there be less competition for the ownership of the soil.

Powhatan, the father of Pocahontas, remained, after the marriage of his daughter, the friend of the English. He died in 1618; and his younger brother was the heir to his influence. By this time the native occupants of the soil were near being driven "to seek a straunger countrie;" to preserve their ancient dwelling-places, it seemed to them that the English must be exterminated. A preconcerted surprise was planned with impenetrable secrecy. To the very last hour the Indians preserved the language of friendship: they borrowed the boats of the English to attend their own assemblies; on the morning of their uprising, they were in the houses and at the tables of those whose death they were plotting. "Sooner," said they, "shall the sky fall, than peace be violated on our part." At Mar. 22. length, on the twenty-second of March, 1622, at mid-day, at one and the same instant of time, the Indians fell upon an unsuspecting population, which was scattered through distant villages, extending one hundred and forty miles, on both sides of the river. None were spared: children and women, as well as men; the missionary, who had cherished the natives with untiring gentleness; the benefactors, from whom they had received daily kindnesses,—all were murdered indiscriminately and with every aggravation of cruelty. The savages fell upon the dead bodies, as if it had been possible to commit on them a fresh murder.

In one hour three hundred and forty-seven persons were cut off. Yet, the night before the execution of the conspir-

acy, it had been revealed by a converted Indian to an Englishman whom he wished to rescue; Jamestown and the nearest settlements were prepared against an attack; the savages, as timid as they were ferocious, fled with precipitation at the appearance of wakeful resistance; and the larger part of the colony was saved. The total number of the emigrants had exceeded four thousand. A year after the massacre, there remained two thousand five hundred men.

The immediate consequences of this massacre were disastrous. Public works were abandoned; and the settlements reduced from eighty plantations to less than eight. Sickness prevailed among the dispirited survivors, who were now crowded into narrow quarters; some even returned to their mother country. But, in England, the news awakened compassionate interest and resolution; and the blood of the victims became the nurture of the plantation. Even King James, for a moment, affected a sentiment of generosity; gave from the Tower of London arms, which had been thrown by as good for nothing in Europe; and made fair promises, which were never fulfilled. The city of London and many private persons displayed an honorable liberality. The London company, which in May, 1622, had elected Nicholas Ferrar to be Lord Southampton's deputy, "redoubled their courages;" and urged the Virginians not to change their abode, nor apply all their thoughts to staple commodities, but "to embellish the Sparta upon which they had lighted." While they bade them "not to rely upon any thing but themselves," they yet promised "that there should not be left any meanes unattempted on their part;" and they announced their purpose of sending, before the next spring, four hundred young men well furnished out of England and Wales; and that private undertakers had engaged to take over many hundreds more. As to the Indians, they wrote: "The innocent blood of so many Christians doth in justice cry out for revenge. We must advise you to root out a people so cursed, at least to the removal of them far from you. Wherefore, as they have merited, let them have a perpetual war without peace or truce, and without mercy too. Put in execution all ways and means for their destruc-

tion, not omitting to reward their neighboring enemies upon the bringing in of their heads."

The arrival of these instructions found the Virginians already involved in a war of extermination. First in the field was George Sandys, the colonial treasurer, who headed two expeditions; next, Yeardley, the governor, invaded the towns of Opechancanough; Captain Madison entered the Potomac. There were in the colony much loss and much sorrow, but never any serious apprehensions of discomfiture. The midnight surprise, the ambuscade by day, might be feared; the Indians promptly fled on the least indications of watchfulness and resistance. Their rights of property were no longer much respected; their open fields and villages were appropriated by the laws of war. But they proved to be "an enemy not suddenly to be destroyed with the sword, by reason of their swiftness of foot, and advantages of the wood, to which upon all assaults they retired." Pursuit would have been vain; they could not be destroyed, except

as they were lulled into security, and induced to re-  
1623. turn to their old homes. In July of the following year, the inhabitants of the several settlements, in parties, under commissioned officers, fell upon the adjoining savages; and a law of the general assembly commanded

that in July of 1624 the attack should be repeated.  
1630. Six years later, the colonial statute-book proves that ruthless schemes were still meditated; for it was enacted that no peace should be concluded with the Indians, — a law which remained in force for two years.

Meantime, a change was preparing in the relations  
1623. of the colony with the parent state. A settlement had been made; but only after a vast expenditure of money and a great sacrifice of human life. The Earl of Southampton and his friends gave their services freely, having no motive but the advancement of the plantation; the adherents of the former treasurer, among whom Argall was conspicuous, under the lead of the Earl of Warwick, constituted a relentless faction, which grew more and more embittered in its opposition. As the shares in the unproductive stock were of little value, the contests were chiefly

for the direction ; and were not so much the wranglings of disappointed merchants as the conflict of political parties. The meetings of the company, which now consisted of a thousand adventurers, of whom two hundred or more usually appeared at the quarter courts, were the scenes for freedom of debate, where the patriots, who in parliament advocated the cause of liberty, triumphantly opposed the decrees of the privy council on subjects connected with the rights of Virginia. The unsuccessful party in the company naturally sought an ally in the king ; it could hope for success only by establishing the supremacy of his prerogative ; and he, on his part, desired to recover the authority of which he had deprived himself by a charter of his own concession. Besides, from his extravagant ideas of monarchical power, he was haunted by a passion to wed his eldest surviving son to a princess of the house of Spain ; and therefore courted the favor of the Spanish monarch, even at the sacrifice of an English colony. Moreover, Gondomar, the Spanish envoy, at his court had said to him : "The Virginia courts are but a seminary to a seditious parliament ;" and he disliked everywhere the freedom of debate. Unable to get the control of the company by overawing their assemblies, the monarch resolved upon the sequestration of the patent ; and raised no other question than how the unjust design could most plausibly be accomplished, and the law of England be made the successful instrument of tyranny. The allegation of grievances, set forth by the court faction in a petition to the king, was fully refuted by the company, and the ground of discontent was answered by an explanatory declaration. Yet commissioners were appointed to engage in a general investigation of the concerns of the corporation ; the records were seized, the deputy treasurer imprisoned, and private letters from Virginia intercepted for inspection. Smith was particularly examined ; his honest answers exposed the defective arrangements of previous years, and favored the cancelling of the charter as an act of benevolence to the colony.

To the Virginia quarter court held on the twenty-fifth of June for the annual election, James sent a very short letter,

in which he said: "Our will and pleasure is that you do forbear the election of any officers until to-morrow fortnight at the soonest, but let those that be already remain as they are in the mean time." The reading of the letter was followed by a long and general silence, after which it was voted that the present officers should be continued because, by the express words of their charter, choice could be made only at a quarter court.

The king, enraged at the company, held the citing of their charter as a mere pretext to thwart his command; and on the last day of July the attorney-general, to whom the conduct of the company was referred, gave it as his opinion that the king might justly resume the govetnment of Virginia, and, should they not voluntarily yield, could call in their patent by legal proceedings. In pursuance of 1623. Oct. this advice, the king, in October, by an order in council, made known to the company that the disasters of Virginia were a consequence of their ill government; that he had resolved, by a new charter, to reserve to himself the appointment of the officers in England, a negative on appointments in Virginia, and the supreme control of all colonial affairs. Private interests were to be sacredly preserved; and all grants of land to be renewed and confirmed. Should the company resist the change, its patent would be recalled. This was in substance a proposition to revert to the charter originally granted.

Oct. 17. The order was read to the Virginia company in court three several times; after the reading, for a long while no man spoke a word. They then desired a month's delay, that all their members might take part in the final decision. The privy council peremptorily summoned them to appear before it and make their answer Oct. 20. at the end of three days; and, at the expiration of that time, the surrender of the charter was refused. There had been only nine hands for delivering up the charters, against threescore. In reply to the orders of the king, they made answer that they were ignorant of the dangers and ruins that might have befallen the colony by the continuance of the former government. They do

not accuse any that have swayed it since Sir Thomas Smythe; their slavery from that time has been converted into freedom. They desire that the governors sent over may not have absolute authority, but be restrained, as hitherto, by the council. They beg they may retain the liberty of their general assembly.

But the decision of the king was already taken; and, on the twenty-fourth, commissioners were appointed to proceed to Virginia, and inquire into the state of the plantation. John Harvey and Samuel Matthews, both distinguished in the annals of Virginia, were of the number of the committee.

On the tenth of November, a writ of quo war-<sup>Nov. 10.</sup> ranto was issued against the company. At the next Nov. 19. quarter court, the adventurers, seven only opposing, confirmed the former refusal to surrender the charter, and made preparations for defence. For that purpose, their papers were for a season restored: while they were once more in the hands of the company, or perhaps before they were seized, certified copies were made of them by the care and at the expense of Nicholas Ferrar. These copies, having been purchased by a Virginian, were consulted by Stith, and gave to his history the authority of an original record. They are now in the library of congress.

While these things were transacting in England, the commissioners, early in 1624, arrived in the colony. The general assembly was immediately convened; and, as the company had refuted the allegations of King James, as opposed to their interests, so the colonists replied to them, as contrary to their honor and good name. The principal prayer was, that the governors might not have absolute power; and that the liberty of popular assemblies might be retained; "for," say they, "nothing can conduce more to the public satisfaction and the public utility." In support of this solicitation, an agent was appointed to repair to England; and, to defray the expenses of the mission, a tax of four pounds of the best tobacco was levied upon every male who was above sixteen years and had been in the colony a twelvemonth. The commissioner unfortu-

nately died on his passage to Europe. The colony continued to entreat the king not to give credit to the declarations in favor of the truly miserable years of Sir Thomas Smythe's government; and to repel the imputations on that of Southampton and Ferrar as malicious.

The spirit of liberty had planted itself deeply among the Virginians. It had been easier to root out the staple produce of their plantations than to wrest from them their established franchises. The movements of their government display the spirit of the place and the aptitude of an English colony for liberty. A faithless clerk, who had been suborned by one of the commissioners to betray their secret consultations, was promptly punished. In vain was it attempted, by means of intimidation and promises of royal favor, to obtain a petition for the revocation of the charter. It was under that charter that the assembly was itself convened; and, after prudently rejecting a proposition which might have endangered its own existence, it proceeded to memorable acts of independent legislation.

The rights of property were strictly maintained against arbitrary taxation. "The governor shall not lay any taxes or ympositions upon the colony, their lands or commodities, other way than by the authority of the general assembly, to be levyed and ymployed as the said assembly shall appoyn." Thus Virginia, the oldest colony, was the first to set the example of a just and firm legislation on the management of the public money. The rights of personal liberty were likewise asserted, and the power of the executive circumscribed. The several governors had in vain attempted, by penal statutes, to promote the culture of corn; the true remedy was now discovered by the colonial legislature. "For the encouragement of men to plant store of corn, the price shall not be stinted, but it shall be free for every man to sell it as deare as he can." The reports of controversies in England rendered it necessary to provide for the public tranquillity by an express enactment "that no person within the colony, upon the rumor of supposed change and alteration, presume to be disobedient to the present government." These laws, so judiciously framed, show how readily, with

the aid of free discussion, men become good legislators on their own concerns; for wise legislation is the enacting of proper laws at proper times; and no criterion is so nearly infallible as the fair representation of the interests to be affected.

While the commissioners were urging the Virginians to renounce their right to the privileges which they exercised so well, the English parliament was in session; and a gleam of hope revived in the company, as in April Fer- 1624. rar presented their elaborate petition for redress to the grand inquest of the kingdom. The house of commons took up the business reluctantly; but, its iniquity being fully proved, they appointed Wednesday, the twenty-eighth of April, a day for its consideration. But on that day, before any progress was made, there came a letter from the king: "That he both already had, and would also hereafter take the affair of the Virginia company into his own most serious consideration and care; and that, by the next parliament, they should all see he would make it one of his masterpieces, as it well deserved to be." The house assented by a general silence, "but not without soft muttering that any other business might in the same way be taken out of the hands of parliament."

Sir Edwin Sandys, ever intent on the welfare of Virginia, was able to secure for the colonial staple complete protection against foreign tobacco, by a petition of grace from the commons, which was followed by a royal proclamation. The people of England could not have given a more earnest proof of their disposition to foster the plantations in America, than by restraining all competition in their own market for the benefit of the American planter.

The decree, which was to be pronounced by judges who held their office by the tenure of the royal pleasure, could not remain doubtful. On the sixteenth of June, June 16. 1624, the last day of the Trinity term, judgment was given against the treasurer and company, and the patents were cancelled.

Thus the company was dissolved, but not till it had fulfilled its high destinies. It had confirmed the colonization

of Virginia, and had conceded irrevocably a liberal form of government to Englishmen in America. It could accomplish no more. The members were probably willing to escape from an enterprise which promised no emolument, was attended by unprofitable strife, and had maintained but a sickly and precarious existence.

Meantime, the commissioners arrived from the colony, and made their report to the king. They enumerated the disasters which had befallen the infant settlement; they eulogized the fertility of the soil and the salubrity of the climate; they held up the plantations as of great national importance, and an honorable monument of the reign of King James; and they expressed a preference for the original constitution of 1606. Supported by their advice, the king resolved himself to "take care for the government of the country." In its domestic government and franchises no immediate change was made. Sir Francis Wyatt, though

he had been an ardent friend of the London company, <sup>1624</sup> was confirmed in office; and he and his council, far <sup>Aug. 26.</sup> from being rendered absolute, were only empowered

to govern "as fully and amplye as any governor and council resident there, at any time within the space of five years now last past." This term of five years was precisely the period of representative government; and the limitation formally sanctioned the continuance of popular assemblies. The king, in appointing the council in Virginia, refused to nominate the embittered partisans of the court faction, and

formed the administration on the principles of accommodation. <sup>1625.</sup> But death prevented the royal legislator <sup>Mar. 27.</sup> from attempting the task of preparing for the colony a code of fundamental laws.

## CHAPTER VI.

## RESTRICTIONS ON COLONIAL COMMERCE.

ASCENDING the throne in his twenty-fifth year, <sup>1625.</sup> Charles I. inherited the principles and was governed <sup>Mar. 27.</sup> by the favorite of his father. The rejoicings in consequence of his recent nuptials with a Bourbon princess, and preparations for a parliament, left him little leisure for American affairs. Virginia was esteemed by the monarch as the country producing tobacco, and prized according to the revenue derived from that staple. As a royal province, it became an object of favor; and, as it enforced conformity to the church of England, it could not be an object of suspicion to the clergy. The new king felt an earnest desire to heal old grievances, to secure the personal rights and property of the colonists, and to promote their prosperity. Franchises were neither conceded nor restricted; for it did not occur to his pride that, at that time, established privileges and vigorous political life were already germinating on the borders of the Chesapeake. His first Virginia measure was a proclamation on tobacco, issued on the ninth of April, <sup>April 9.</sup> 1625, within a fortnight of his accession; it confirmed to Virginia and the Somer Isles the exclusive supply of the British market, under penalty of the censure of the star-chamber for disobedience. In a few days, a new <sup>May 13.</sup> proclamation appeared, in which, after a careful declaration of the forfeiture of the charters, and consequently of the immediate dependence of Virginia upon himself,—a declaration aimed against the claims of the London company, and not against the franchises of the colonists,—the monarch announced his fixed resolution of becoming, through his agents, the sole factor of the planters.

Indifferent to their constitution, it was his principal aim to monopolize the profits of their industry; and the political rights of Virginia were established as usages by his neglect.

When, early in 1626, Wyatt retired, the reappointment of Sir George Yeardley was in itself a guarantee that, as "the former interests of Virginia were to be kept inviolate," so the representative government would be maintained; for it was Yeardley who had introduced the system. In his commission, in which William Clayborne, described as "a person of quality and trust," is named as secretary, the monarch expressed his desire to encourage and perfect the plantation; "the same means that were formerly thought fit for the maintenance of the colony" were continued; and the power of the governor and council was limited, as it had before been done in the commission of Wyatt, by a reference to the usages of the last five years. In that period, representative liberty had become the custom of Virginia. The words were interpreted as favoring the wishes of the colonists; and King Charles, intent only on increasing his revenue, confirmed the existence of a popular assembly. Virginia rose rapidly in public esteem; in 1627, a thousand emigrants arrived; and there was an increasing demand for the products of its soil.

In November, 1627, the career of Yeardley was closed by death. Posterity retains a grateful recollection of the man who first convened a representative assembly in the western hemisphere; the colonists, in a letter

to the privy council, gave a eulogy on his virtues. The day after his burial, and in the absence of John Harvey, who was named in Yeardley's commission as his eventual successor, Francis West was elected governor; for the council was authorized to elect the governor, "from time to time, as often as the case should require."

In August of that year, the king, by a letter of instructions to the governor and council, offered to contract for the whole crop of tobacco; desiring, at the same time, that an assembly might be convened to consider his proposal. In the following March, the assembly, in its reply, which was signed by the governor, by five

members of the council, and by thirty-one burgesses, acquiesced in the royal monopoly, but protested against its being farmed out to individuals. The Virginians, happier than the people of England, enjoyed a faithful representative government; and, through resident planters who composed the council, they repeatedly made choice of their own governor. When West designed to embark for Europe, his place was supplied by the election of John Pott, the best surgeon and physician in the colony.

No sooner had the news of the death of Yeardley reached England than the king issued a new commission to Harvey as governor, and Clayborne was confirmed as secretary. The instrument, while it renewed the limitations which had previously been set to the executive authority, permitted the governor to supply all vacancies occurring in the council in Virginia, subject to approval.

In the interval between the appointment of Harvey and his return to America, Lord Baltimore visited Virginia. Its government pursued him as a Romanist, and would not suffer him to plant within its jurisdiction. On the other hand, the people of New Plymouth were invited to abandon their cold and sterile abode, and plant themselves in the milder regions on the Delaware Bay; a plain indication that Puritans were not as yet molested by Virginia.

It was very late in the year of 1629 when Harvey arrived in Virginia. He met his first assembly of burgesses in the following March, a week before Easter. <sup>1630. Mar 24.</sup> He had for several years been a member of the council; and had been a willing instrument in the hands of the faction to which Virginia ascribed its earliest griefs, and which it justly continued to regard with a deep-rooted aversion. As his first appearance in America, in 1624, had been with no friendly designs, so now he was the support of those who desired large grants of land and concessions of separate jurisdictions; and he preferred the interests of himself, his partisans, and patrons, especially Lord Baltimore, to the welfare of the colony. Moreover, he held a warrant to receive for himself all fines arising by any sen-

tence of its courts of justice. In every department of his proceedings he was rough and passionate, pronouncing hasty judgments and quarrelling with all the council ; yet, while arbitrary power was rapidly advancing to triumph in England, the Virginians uninterruptedly enjoyed the benefit of independent legislation ; through the agency of their representatives, they levied and appropriated taxes, secured the free industry of their citizens, guarded the forts with their own soldiers, at their own charge, and gave publicity to their statutes. When the defects and inconveniences of infant legislation were remedied by a revised code, which was published with the approbation of the governor and council, the privileges which the assembly had ever claimed were confirmed. Indeed, they had not been questioned. The governor had indeed advised, that he should have, for the time being, a negative voice on all acts of legislation ; and the government, in its reply, had suggested that the laws made in Virginia should stand only as propositions until the king should ratify them under his great seal ; but the limitation was not introduced into his commission. De Vries, who visited Virginia in 1632-3, had reason to praise the advanced condition of the settlement, the abundance of its products, and the liberality of its government.

The community was nevertheless disturbed because fines were rashly imposed, and were exacted with too relentless rigor. In 1635, the discontent of Virginia, at the dismemberment of its territory by the cession of a province to Lord Baltimore, was at its height. While Clayborne, who had been superseded as secretary, resisted the jurisdiction of Maryland over Kent Island and over trade in the Chesapeake, Harvey courted the favor of Baltimore. The colonists were fired with indignation that their governor, who was hateful to them, for his self-will and violent exercise of power, should, as it seemed to them, betray their territorial interests.

In the latter part of April, a multitude of people, among whom was the sheriff of York, assembled in that place at the house of William Barrene, who was the chief speaker at the meeting. Francis Pott read a petition written by

his brother, the governor by election whom Harvey had superseded, and subscribed by many from other parts of the country, complaining of a tax imposed by Harvey, of the want of justice in his administration, and of his unadvised and dangerous dealings with the Indians. For this act the governor ordered the sheriff, Francis Pott, and another to be apprehended, and called a council to come to his assistance in suppressing these mutinous gatherings. But, on the twenty-eighth, Matthews and other members of the council came to his house, armed, and attended by fifty musketeers. John Utie, a councillor, struck him on the shoulder, and said: "I arrest you for treason;" which consisted, as they said, in going about to betray their forts into the hands of their enemies of Maryland. The musketeers were ordered to draw back until there should be use for them; and guards were stationed in all the approaches to the house. The three prisoners were set at liberty. The petition against the governor was produced, and made the pretext for calling for an assembly; by which, as a proclamation announced, complaints against the governor would be heard. The old planter Matthews, a man of quick temper, whom Harvey had opposed at the board with exceeding animosity, informed him that the fury against him could not be appeased. He attempted to make terms with the council; but they would yield to none of his conditions, and chose in his place John West, who immediately assumed the government. Harvey finally consented to go to England, and there make answer to their complaints. He professed to fear "that the mutineers intended no less than the subversion of Maryland."

On the eleventh of December, the cause of Sir John Harvey was investigated by the privy council, the king himself presiding. "To send hither the governor," said Charles, "was an assumption of the regal power; it is necessary to send him back, though to stay but a day; if he can clear himself, he shall remain longer than he otherwise would have done." The commissioners appointed by the council of Virginia to present their complaints had not arrived. In their absence, Harvey pleaded that there was no particular charge

against him. It appeared that he had assumed power to place and displace members of the council, and that under the provocation of ill language he had struck one of them and sequestered another. But he denied that he had unduly favored trade with the Dutch, or that he had countenanced the popish religion in Maryland; and he even denied that mass was publicly said in that province.

A few days later, in accordance with the request of Lord Baltimore, Harvey received a new commission, which limited his powers as before to such as had been exercised during the period of legislative freedom; but reserved the appointments to vacancies in the council to the government in England. In consequence of the unseaworthiness of the king's ship in which he was to have sailed, he did not reach Virginia until January, 1637, after an absence of more than a year and a half. Without delay, he met the council at the church of Elizabeth City; published the king's proclamation, pardoning, with a few exceptions, all persons who had given aid in the late practices against him; and summoned an assembly for the following February. During the period of his office, the accustomed legislative rights of the colony were not impaired.

<sup>1639.</sup> In November, 1639, he was superseded by <sup>\*Sir</sup>  
<sup>Nov.</sup> Francis Wyatt, who, in the following January, con-  
<sup>1640.</sup> <sup>Jan.</sup> vened a general assembly. History has recorded  
many instances where a legislature has altered the scale of debts by debasing the coin, or by introducing paper money. In Virginia, debts had been contracted to be paid in tobacco; and when the article rose in value, in consequence of laws restricting its culture, the legislature did not scruple to enact that "no man need pay more than two thirds of his debt during the stint;" and that all creditors should take "forty pounds for a hundred." Beyond this, the second administration of Wyatt passed silently away.

<sup>1641.</sup> After two years, Sir William Berkeley was consti-  
<sup>Aug. 9.</sup> tuted governor. The members of his council were  
to take part with him in supplying vacancies in that body. His instructions enjoined him to be careful that God should be served after the form established in the

church of England, and not to suffer any innovation in matters of religion. Each congregation was to provide for its own minister. The oaths of supremacy and allegiance were to be tendered to residents, and recusants "to be sent home." Justice was to be administered according to the laws of England. Besides the quarter courts, inferior courts were to be established for minor suits and offences; and probate of wills was provided for. All men above sixteen years were to bear arms. Trade with the savages without special license was forbidden. To every person who had emigrated since midsummer, 1625, a patent for fifty acres of land was ordered. The general assembly was to meet annually, the governor having a negative voice on its acts. With the consent of the assembly, the residence of the government might be removed to a more healthful place, which should take the old name of Jamestown. One of the instructions imposed by the prerogative most severe and unwarrantable restrictions on the liberty of trade, of which the nature will presently be explained.

It was in February, 1642, that Sir William Berkeley assumed the government. He summoned immediately the colonial legislature. In a former year, the court had refused to renew a corporation for Virginia, because, it was said, "they will endeavor to poison that plantation with factious spirits and such as are refractory to monarchical government, as all corporations are." Now the utmost harmony prevailed; the memory of factions was lost in a general amnesty of ancient griefs. The lapse of years had so far effaced the divisions which grew out of the dissolution of the company, that when George Sandys presented a petition to the commons, praying for the restoration of the ancient patents, the royalist assembly disavowed the design, and, after a full debate, opposed it by a protest. The document breathes the tone of a body accustomed to public discussion and the independent exercise of legislative power. They assert the necessity of the freedom of trade; "for freedom of trade," say they, "is the blood and life of a commonwealth." And they defended their preference of self-government

through a colonial legislature, by a conclusive argument: "There is more likelihood that such as are acquainted with the clime and its accidents may upon better grounds prescribe our advantages, than such as shall sit at the helm in England." The king in reply declared his purpose not to change a form of government in which they "received so much content and satisfaction."

The Virginians, aided by Sir William Berkeley, could now deliberately perfect their civil condition. Condemnations to service had been a usual punishment; these were abolished. In the courts of justice, a near approach was made to the laws and customs of England. Religion was provided for; the law about land-titles adjusted; an amicable treaty with Maryland matured; and peace with the Indians confirmed. Taxes were assessed, not in proportion to numbers, but to men's abilities and estates. The spirit of liberty, which moved in the English parliament, belonged equally to the colony; and the rights of property, the freedom of industry, the exercise of civil franchises, seemed to be secured to themselves and their posterity. "A future immunity from taxes and impositions," except such as should be freely voted for their own wants, "was expected as the fruits of the endeavors of their legislature." The restraints with which their navigation was threatened were not enforced; and Virginia enjoyed nearly all the liberties which a monarch could concede, and retain his supremacy.

The triumph of the popular party in England did not alter the condition or the affections of the Virginians. The commissioners appointed by parliament in November, <sup>1643</sup> Nov. 2. 1643, with full authority over the plantations, among whom are the names of Haselrig, Henry Vane, Pym, and Cromwell, promised, indeed, freedom from English taxation; but this immunity was already enjoyed. They gave the colony liberty to choose its own governor; but it had no dislike to Berkeley; and though there was a party for the parliament, yet the king's authority, which Charles had ever mildly exercised, was maintained.

The condition of contending factions in England had <sup>March.</sup> brought the opportunity of legislation independent

of European control; and the act of the assembly, restraining religious liberty, proves the attachment of the representatives of Virginia to the Episcopal Church and to royalty. "Here," the tolerant Whitaker had written, "neither surplice nor subscription is spoken of;" and many Puritan families, perhaps some even of the Puritan clergy, had planted themselves within the jurisdiction of Virginia. The honor of Laud had been vindicated by a judicial sentence, and south of the Potomac the decrees of the court of high commission were allowed to be valid; but I find no trace of persecutions in the earliest history of the colony. The laws were harsh: the administration seems to have been mild. A disposition to non-conformity was soon to show itself even in the council. An invitation, which had been sent to Boston for Puritan ministers, implies a belief that they would have been admitted. But the democratic revolution in England had given an immediate political importance to religious sects: to tolerate Puritanism was to nurse a republican party. It was, therefore, specially ordered that no minister should preach or teach, publicly or privately, except in conformity to the constitutions of the church of England, and non-conformists were banished. It was in vain that the ministers, invited from Boston by the Puritan settlements in Virginia, carried letters from Winthrop, written to Berkeley and his council by order of the general court of Massachusetts. "The hearts of the people were much inflamed with desire after the ordinances;" but the missionaries were silenced by the government, and ordered to leave the country. Sir William Berkeley was "a courtier, and very malignant towards the way of the churches" in New England.

While Virginia thus displayed intolerance, the natives were once more provoked to acts of vindictive ferocity. In 1643, it was enacted by the assembly that no terms of peace should be entertained with the Indians; whom it was usual to distress by sudden marches against their settlements. But they heard of the dissensions in 1644. England, and, taking counsel only of their passions, they resolved on one more attempt at a general massacre.

On the eighteenth day of April, 1644, the time appointed for the carnage, they began the unexpected onset upon the frontier settlements. But hardly had they steeped their hands in blood, before they were dismayed by the recollection of their own comparative weakness; and, trembling for the consequences of their treachery, they fled to distant woods. The number of victims was three hundred. Vigorous measures were promptly taken by the English for protection and defence.

So little was apprehended, when the English were *on* their guard, that, two months after the massacre, Berkeley embarked for England, leaving Richard Kemp as his substitute. A border warfare continued; marches up and down the Indian country were ordered; yet, so weak were the natives, that though the careless traveller and the straggling huntsman were long in danger of being intercepted, ten men were considered a sufficient force to protect a place of danger.

In 1646 the aged Opechancanough was taken; and the venerated monarch of the sons of the forest, so long the undisputed lord of almost boundless hunting-grounds, died in miserable captivity, of wounds inflicted by a brutal soldier. In his last moments, he chiefly regretted his exposure to the contemptuous gaze of his enemies.

<sup>1646.</sup> About fifteen months after Berkeley's return from Oct. England, articles of peace were established between the inhabitants of Virginia and Necotowance, the successor of Opechancanough, on the conditions of submission and a cession of lands. The original possessors of the soil began to vanish away from the neighborhood of the English settlements. Language, composed of fleeting sounds, transmits the remembrance of past occurrences, long after every other monument has passed away. Of the labors of the Indians on the soil of Virginia, there remains nothing so respectable as would be a common ditch for the draining of lands: rivers and mountains retain the names which were given by those whose tribes have become extinct.

Thus the colonists acquired the management of all their concerns; war was levied, and peace concluded, and terri-

tory acquired, in conformity to the acts of their own representatives. Possessed of security and quiet, abundance of land, a free market for their staple, and having England for its guardian against foreign oppression, rather than its ruler, the colonists enjoyed all the prosperity which a virgin soil, equal laws, and general uniformity of condition and industry, could bestow. Their numbers increased; the cottages were filled with children, the ports with ships and emigrants. At Christmas, 1648, there were trading in Virginia ten ships from London, two from Bristol, twelve Hollanders, and seven from New England. The number of the colonists was already twenty thousand; and they who had sustained no griefs were not tempted to engage in the feuds which rent the mother country. After the execution of Charles, though there were not wanting some who favored republicanism, the government recognised his son without dispute. The disasters of the royalists in England strengthened their party in the New World. Men of consideration "among the nobility, gentry, and clergy," struck "with horror and despair" at the beheading of Charles I., and desiring no reconciliation with unrelenting "rebels," made their way to the shores of the Chesapeake, where every house was for them a "hostelry," and every planter a friend. The mansion and the purse of Berkeley were open to all; and, at the hospitable dwellings that were scattered along the rivers and among the wilds of Virginia, the Cavaliers, exiles like their monarch, met in frequent groups to recount their toils, to sigh over defeats, and to nourish loyalty and hope. "Virginia was whole for monarchy, and the last country, belonging to England, that submitted to obedience of the commonwealth."

The faithfulness of the Virginians did not escape the attention of the royal exile; from his retreat in Breda, he transmitted to Berkeley a new commission, and still controlled the distribution of offices. But the parliament did not long permit its authority to be denied. Having triumphed over its enemies in Europe, it turned its attention to America; a memorable ordinance empowered the council of state to reduce

the rebellious colonies to obedience, and, at the same time, established it as a law, that foreign ships should not trade at any of the ports "in Barbadoes, Antigua, Bermudas, and Virginia." Maryland, which was not expressly included in the ordinance, had taken care to acknowledge the new order of things; and Massachusetts, alike unwilling to encounter the hostility of parliament, and jealous of the

<sup>1631.</sup>  
<sup>May 7.</sup> rights of independent legislation, by its own enactment prohibited all intercourse with Virginia, till the supremacy of the commonwealth should be established; although the order, when it was found to be injurious to commerce, was repealed, even whilst <sup>Oct. 14.</sup> royalty still triumphed at Jamestown. The lovers of monarchy indulged the hope that the victories of their friends in the Chesapeake would redeem the disgrace that had elsewhere fallen on the royal arms; many partisans of Charles had come over as to a place of safety; and the honest Governor Berkeley, than whom "no man meant better," was so confirmed in his confidence, that he wrote to the king, almost inviting him to America. The approach of the day of trial was watched with the deepest interest.

But, while preparations were making for the reduction of the loyal colonies, the commercial policy of England underwent a revision, to which the interests of English merchants and ship-builders imparted consistency and durability.

It is the ancient fate of colonies to be planted by the daring of the poor and the hardy; to struggle into being through the severest trials; to be neglected by the parent country during the season of poverty and weakness; to thrive by the unrestricted application of their powers and enterprise; and by their consequent prosperity to tempt oppression. The Greek colonies early attained opulence and strength, because they were free; the emigrants were dismissed, not as servants, but as equals. They were the natural allies, and not the reluctant subordinates, of the mother country. They spoke the same dialect, revered the same gods, cherished the same customs and laws; but the new people was from its birth politically independent. Freedom, stimulating exertion, invited them to stretch

their settlements from the Euxine to the western Mediterranean, and urged them forward to wealth and prosperity, commensurate with their boldness and the vast extent of their domains. The colonies of Carthage, on the contrary, had no sooner attained sufficient consideration to merit attention, than the mother state insisted upon a monopoly of their commerce. The colonial system is as old as colonies and the spirit of commercial gain and political oppression.

No sooner had Spain and Portugal entered on maritime discovery, and found their way round the Cape of Good Hope and to America, than a monopoly of the traffic of the world was desired. Covetous of the whole, they could with difficulty agree upon a division, not of a conquered province, the banks of a river, a neighboring territory, but of the oceans. They claimed that, on the larger seas, the winds should blow only to fill their sails; that the islands and continents of Asia, of Africa, and the New World, should freight only the ships of their merchants; and, having denounced the severest penalties against any who should infringe the rights which they claimed, they obtained the sanction of the Roman religion to adjust their differences, and to bar competitors by the pains of excommunication. The moral sense of mariners revolted at the extravagance: since forfeiture, imprisonment, and the threat of eternal woe, were to follow the attempt at the fair exchanges of trade; since the freebooter and the pirate could not suffer more than was menaced against the merchant who should disregard the maritime monopoly,—the seas became infested by reckless buccaneers, the natural offspring of colonial restrictions. Rich Spanish settlements in America were pillaged; fleets attacked and captured; predatory invasions were even made on land to intercept the loads of gold, as they came from the mines, by men who might have acquired honor and wealth in commerce, if commerce had been permitted.

In Europe, the freedom of the sea was vindicated against Spain and Portugal by a people hardly yet recognised as an independent state, occupying a soil of which much had been redeemed by industry, and driven by the stern necessity of

a dense population to seek for resources upon the sea. Grotius, her gifted son, who first gave expression to the idea that "free ships make free goods," defended the liberty of commerce, and appealed to the judgment of all free governments and nations against the maritime restrictions, which humanity denounced as contrary to the principles of social intercourse; which justice derided as infringing the clearest natural rights; which enterprise rejected as a monstrous usurpation of the ocean and the winds. The relinquishment of navigation in the East Indies was required as the price at which her independence should be acknowledged; and she preferred to defend her separate existence by her arms, rather than purchase security by circumscribing the courses of her ships. While the inglorious James of England was negotiating about points of theology; while the more unhappy Charles was struggling against the liberties of his subjects,—the Dutch, a little confederacy, which had been struck from the side of Spain, a new people, scarcely known as possessed of nationality, had, by their superior skill, begun to engross the carrying trade of the world. Their ships were found in the harbors of Virginia; in the West Indian archipelago; in the south of Africa; among the tropical islands of the Indian Ocean; and even in the remote harbors of China and Japan. Their trading-houses were planted on the Hudson and the coast of Guinea, in Java and Brazil. One or two rocky islets in the West Indies, in part neglected by the Spaniards as unworthy of culture, furnished these daring merchants a convenient shelter for a large contraband traffic with the *terra firma*. The freedom and the enterprise of Holland acquired maritime power, and skill and wealth, such as the monopoly of Spain could never command.

The causes of the commercial greatness of Holland were forgotten in envy at her success. She ceased to appear as the gallant champion of the freedom of the seas against Spain, and became envied as the successful rival. The English government resolved to protect the English merchant. Cromwell desired to confirm the maritime power of his country; and Saint-John, a Puritan and a republican in theory, though never averse to a limited monarchy,

devised the first act of navigation, which, in 1651, the politic Whitelocke introduced and carried through parliament. Henceforward, the commerce between England and her colonies, between England and the rest of the world, was to be conducted in ships solely owned, and principally manned, by Englishmen. Foreigners might bring to England nothing but the products of their respective countries, or those of which their countries were the established staples. The act was levelled against Dutch commerce, and was but a protection of British shipping; it contained no clause relating to a colonial monopoly, or specially injurious to an American colony. Of itself it inflicted no wound on Virginia or New England. In vain did the Dutch expostulate against the act as a breach of commercial amity; the parliament studied the interests of England, and would not repeal laws to please a neighbor.

A naval war soon followed, which Cromwell desired, and Holland endeavored to avoid. Each people kindled with national enthusiasm; and the annals of recorded time had never known so many great naval actions in such quick succession. This was the war in which Blake and Ayscue and De Ruyter gained their glory; and Tromp fixed a broom to his mast, as if to sweep the English flag from the seas.

Cromwell was not disposed to trammel the industry of Virginia and Maryland and New England; he aspired to make England the commercial emporium of the world. His plans extended to the acquisition of the harbors in the Spanish Netherlands; France was obliged to pledge her aid to conquer, and her consent to yield, Dunkirk, Mardyke, and Gravelines; and Dunkirk, in the summer of 1658, was given up to his ambassador by the French king in person. Nor was this all: he desired harbors in the North Sea and the Baltic; and an alliance with Protestant Sweden was to secure him Bremen and Elsinore and Dantzig. In the West Indies, he aimed at obtaining Cuba; his commanders captured Jamaica; and the attempt at the reduction of Hispaniola, then the chief possession

1651.

1652.

1657.

1658.

of Spain among the islands, failed only through the incompetency or want of concert of his agents.

The protection of English shipping, thus established as a part of the British commercial policy, was the successful execution of a scheme which many centuries before had been attempted. A new and a still less justifiable encouragement was soon demanded, and English merchants began to insist upon the entire monopoly of the commerce of the colonies. This question had but recently been agitated in parliament. It was within the last few years that England had acquired colonies; and as, in the beginning, they were

- left to depend upon the royal prerogative, the public policy with respect to them can be found only in the proclamations, charters, and instructions which emanated from the monarch.

The forecast of Henry VII. had considered the advantages which might be derived from a colonial monopoly; and, while ample privileges were bestowed on the adventurers who sailed for the New World, he stipulated that the exclusive staple of its commerce should be made in England. A century of ill success had checked the extravagance of hope; and as the charters of Gilbert and of Raleigh had contained little but concessions, suited to invite those eminent

men to engage with earnestness in the career of western discoveries, so the first charter for Virginia expressly admitted strangers to trade with the colony on payment of a small discriminating duty. On the enlargement of the company, the intercourse with foreigners was still permitted; nor were any limits assigned to the commerce in which they might engage. The last charter was equally free from unreasonable restrictions on trade; and, by a confirmation of all former privileges, it permitted to foreign nations the traffic which it did not expressly sanction.

At an early period of his reign, before Virginia had been planted, King James found in his hostility to the use of tobacco a convenient argument for the excessive tax which a royal ordinance imposed on its consumption. When the weed had evidently become the staple

1604.  
Oct. 17.

of Virginia, the Stuarts cared for nothing in the colony so much as for a revenue to be derived from an impost on its produce. Whatever display of zeal might be made for religion, the conversion of the heathen, the organization of the government, and the establishment of justice, the subject of tobacco was never forgotten. The sale of it in England was strictly prohibited, unless the heavy impost had been paid; a proclamation enforced the royal decree; and, that the tax might be gathered on the entire consumption, by a new proclamation the <sup>Dec. 30.</sup> culture of tobacco was forbidden in England and Wales, and the plants already growing were ordered to be uprooted. Nor was it long before the importation and sale of tobacco required a special license from the king.

In this manner, a compromise was effected between <sup>1620.</sup> the interests of the colonial planters and the monarch; the former obtained the exclusive supply of the English market, and the latter succeeded in imposing an exorbitant duty. In the ensuing parliament, Lord Coke <sup>1621.</sup> did not fail to remind the commons of the usurpations of authority on the part of the monarch, who had taxed the produce of the colonies without the consent of the people, and without an act of the national legislature; and Sandys and Diggs and Ferrar, the friends of Virginia, procured the substitution of an act for the <sup>Apr. 18.</sup> arbitrary ordinance. In consequence of the dissensions of the times, the bill, which had passed the house, was left among the unfinished business of the session; nor was the affair adjusted, till, as we have already seen, the commons, in 1624, again expressed their regard <sup>1624.</sup> for Virginia by a petition, to which the monarch readily attempted to give effect.

The first colonial measure of King Charles related <sup>1625.</sup> to tobacco; and the second proclamation, though its object purported to be the settling of the plantation of Virginia, partook largely of the same character. In a series of public acts, King Charles attempted during his reign to acquire a revenue from this source. The authority of the star-chamber was invoked to assist in filling <sup>1626.</sup>

his exchequer by new and onerous duties on tobacco ; his commissioners were ordered to contract for all the product of the colonies ; though the Spanish tobacco was not steadily excluded. All colonial tobacco was soon 1627. ordered to be sealed ; nor was its importation permitted except with special license ; and we have seen that an attempt was made, by a direct negotiation with the 1628. Virginians, to constitute the king the sole factor of their staple. The measure was defeated ; and the 1631. monarch was left to issue a new series of proclamations, constituting London the sole mart of colonial 1633. tobacco ; till, vainly attempting to regulate the trade, 1634. he declared "his will and pleasure to have the sole pre-emption of all the tobacco " of the English plan- 1639. tations. He long adhered to this system with resolute pertinacity.

The measures of the Stuarts were ever unsuccessful, because they were directed against the welfare of the colonists, and were not sustained by popular interests in England. After the long-continued efforts which the enterprise of English merchants and the independent spirit of English planters had perseveringly defied, on the 1641. appointment of Sir William Berkeley, the expedient was devised which was destined to become so celebrated. No vessel, laden with colonial commodities, might sail from the harbors of Virginia for any ports but those of England, that the staple of those commodities might be made in the mother country, and the king be secure of the customs which were his due. All trade with foreign vessels, except in case of necessity, was forbidden. This system, which the instructions of Berkeley commanded him to introduce, was ultimately successful ; for it sacrificed no rights but those of the colonists, while it identified the interests of the English merchant and the English government, and leagued them together for the oppression of those who, for more than a century, were too feeble to offer effectual resistance.

1647. The Long Parliament was more just ; it attempted Jan. 23. to secure to English shipping the carrying trade of

the colonies, but with the consent of the colonies themselves ; offering an equivalent, which the legislatures in America were at liberty to reject.

The memorable ordinance of October, 1650, was a war measure, and extended only to the colonies which had adhered to the Stuarts. All intercourse with them was forbidden, except to those who had a license from parliament or the council of state. Foreigners were rigorously excluded ; and this prohibition was designed to continue in force even after the suppression of all resistance. While, therefore, the navigation act secured to English ships the entire carrying trade with England, in connection with the ordinance of the preceding year, it conferred a monopoly of colonial commerce.

But this state of commercial law was modified by the manner in which the authority of the English commonwealth was established in the Chesapeake. The republican leaders of Great Britain suffered the fever of party to subside, before decisive measures were adopted ; and then Richard Bennett and Clayborne, two of the commissioners whom they appointed, were taken from among the planters themselves. The instructions given them were such as Virginians might carry into effect ; for they constituted them the pacifiers and benefactors of their country. In case of resistance, war was threatened. If Virginia would adhere to the commonwealth, she might be the mistress of her own destiny.

The force that was sent to reduce Barbados encountered some resistance from the royalist government ; but the people found their liberties secured by their surrender. One of their number in a letter to Bradshaw, then president of the council of state, raised the question of the coming century ; saying : " The great difficulty is, how we shall have a representative with you in your government and our parliament. That two representatives be chosen by this island, to advise and consent to matters that concern this place, may be both just and necessary ; for, if laws be imposed upon us without our personal or implied consent, we cannot be accounted better than slaves ; which as all Englishmen abhor

to see, so I am confident you detest to have them. This is so clear that I shall not need to enforce it with argument."

The question of representation in the English parliament was renewed in England for Barbados; it did not as yet arise in the continental colonies. What opposition needed

<sup>1652.</sup> to be made to a power which seemed voluntarily to March. propose a virtual independence? No sooner had the

Guinea frigate anchored in the waters of the Chesapeake, than "all thoughts of resistance were laid aside," and the colonists, having no motive to contend for a monarch whose fortunes seemed irretrievable, were earnest only to assert the freedom of their own institutions. They yielded by a voluntary deed and a mutual compact. It was agreed, upon the surrender, that the "PEOPLE OF VIRGINIA" should have all the liberties of the free-born people of England; should intrust their business, as formerly, to their own grand assembly; should remain unquestioned for their past loyalty; and should have "as free trade as the people of England." All this was confirmed by the Long Parliament; but the article which restored to Virginia its ancient bounds and limits according to the charters of James I. by a new charter to be sought from the parliament, against any that had intrenched upon the rights thereof, and that which covenanted that no taxes, no customs, might be levied, except by their own representatives, no forts erected, no garrisons maintained, but by their own consent, were referred to a committee, and were never definitively acted upon. In the settlement of the government, harmony prevailed between the burgesses and the commissioners: it was the governor and council who alone had apprehensions for their safety, and who provided a guarantee for the security of their persons and property, which there existed no design to injure.

Till the restoration, the colony of Virginia practically enjoyed liberties as large as the favored New England, and displayed equal fondness for popular sovereignty. The executive officers became elective; and so evident were the designs of all parties to promote an amicable settlement of the government, that Richard Bennett, himself a commissioner of the parliament, and, moreover, a merchant and a

Roundhead, was, on the recommendation of the other commissioners, unanimously chosen governor. The <sup>1652.</sup> <sub>April 30.</sub> oath required of the burgesses made it their paramount duty to provide for "the general good and prosperity" of Virginia and its inhabitants. Under Berkeley's administration, Bennett had been oppressed in Virginia; and now there was not the slightest effort at revenge.

The act which constituted the government claimed <sup>April.</sup> for the assembly the privilege of defining the powers which were to belong to the governor and council; and the public good was declared to require "that <sup>May 5.</sup> the right of electing all officers of this colony should appertain to the burgesses," as to "the representatives of the people." It had been usual for the governor and council to sit in the assembly; the <sup>May 6.</sup> expediency of the custom was questioned, and a temporary compromise ensued; they retained their former right, but were required to take the oath which was administered to the burgesses. Thus the house of burgesses acted as a convention of the people; exercising supreme authority, and distributing power as the public welfare required.

Cromwell never made any appointments for Virginia; not one governor acted under his commission. When Bennett retired from office, the assembly elected his <sup>1655.</sup> <sub>Mar. 31.</sub> successor; and Edward Diggs, who had before been chosen of the council, and who "had given a signal testimony of his fidelity to Virginia, and to the commonwealth of England," received the suffrages. Upon a report of a committee concerning the unsettled government of Virginia, the council of state in London nominated to the protector Edward Diggs for the office of governor, the very same man, as one who would satisfy all parties and interests among the colonists; but no evidence has been found that Cromwell acted upon the advice. The commissioners in the colony were chiefly engaged in settling the affairs and adjusting the boundaries of Maryland.

The right of electing the governor continued to be exercised by the representatives of the people; and in 1658 Samuel Matthews, son of an old planter, was <sup>1658.</sup>

chosen to the office. But, from too exalted ideas of his station, he, with the council, became involved in an unequal contest with the assembly by which he had been elected. The burgesses had enlarged their power by excluding the governor and council from their sessions, and,

having thus reserved to themselves the first free discussion of every law, had voted an adjournment till November. The governor and council, by message, declared the dissolution of the assembly. The legality of the dissolution was denied; and, after an oath of secrecy, every burgess was enjoined not to betray his trust by submission. Matthews yielded, reserving a right of appeal to the protector. When the house unanimously voted the governor's answer unsatisfactory, he revoked the order of dissolution, but still referred the decision of the dispute to Cromwell. The members of the assembly, apprehensive of a limitation of colonial liberty by the reference of a political question to England, determined on the assertion of their independent powers. A committee was appointed, of which John Carter, of Lancaster, was the chief; and a declaration of popular sovereignty was made. The governor and council had ordered the dissolution of the assembly; the burgesses now annulled the former election of governor and council. Having thus exercised not merely the right of election, but the more extraordinary right of removal, they re-elected Matthews, "who by us," they added, "shall be invested with all the just rights and privileges belonging to the governor and captain-general of Virginia." The governor acknowledged the validity of his ejection by taking the oath, which had just been prescribed, and the council was organized anew. The spirit of popular liberty established all its claims.

On the death of Cromwell, the burgesses deliberated in private, and unanimously resolved that Richard Cromwell should be acknowledged. But it was a more interesting question, whether the change of protector in England would endanger liberty in Virginia. The letter from the council had left the government to be administered according to former usage. The assembly declared

itself satisfied with the language. But, that there might be no reason to question the existing usage, the governor was summoned to come to the house; where he appeared in person, acknowledged the supreme power of electing officers to be, by the present laws, resident in the assembly, and pledged himself to join in addressing the new protector for special confirmation of all existing privileges. The reason for this proceeding is assigned: "that what was their privilege now, might be the privilege of their posterity."

On the death of Matthews, the Virginians were without a chief magistrate, at the time when the <sup>1660.</sup> <sup>March.</sup> resignation of Richard had left England without a government. The burgesses, who were immediately convened, enacted "that the supreme power of the government of this country shall be resident in the assembly; and all writs shall issue in its name, until there shall arrive from England a commission, which the assembly itself shall adjudge to be lawful." This having been done, Sir William Berkeley was elected governor; and, acknowledging the validity of the acts of the burgesses, whom, it was agreed, he could in no event dissolve, he accepted the office, and recognised, without a scruple, the authority to which he owed his elevation. "I am," said he, "but a servant of the assembly." Virginia did not claim independence, but, awaiting the settlement of affairs in England, hoped for the restoration of the Stuarts.

The legislation of the colony had taken its character from the people, whose pursuits were essentially agricultural; and it is the interest of society in that state to discountenance contracting debts. Severe laws for the benefit of the creditor are the fruits of commercial society; Virginia possessed not one considerable town, and her statutes favored the independence of the planter rather than the security of trade. The representatives of colonial landholders voted "the total ejection of mercenary attorneys." By a special act, emigrants were safe against suits designed to enforce engagements that had been made in Europe; and colonial obligations might be satisfied by a surrender of property. Tobacco was generally used instead of coin. Theft was

hardly known, and the spirit of the criminal law was mild. The highest judicial tribunal was the assembly, which was convened once a year, or oftener. Already large landed proprietors were frequent; and plantations of two thousand acres were not unknown.

During the suspension of the royal government in England, Virginia regulated her commerce by independent laws. The ordinance of 1650 was rendered void by the act of capitulation; the navigation act of Cromwell was not designed for her oppression, and was not enforced within her borders. If an occasional confiscation took place, it was done by the authority of the colonial assembly. The war between England and the United Provinces did not wholly interrupt the intercourse of the Dutch with the English colonies; and if, after the treaty of peace, the trade was considered contraband, the English restrictions were entirely disregarded. A remonstrance, addressed to Cromwell, demanded an unlimited liberty; and we may suppose that it was not refused; for, some months before March. Cromwell's death, the Virginians "invited the Dutch and all foreigners" to trade with them, on payment of no higher duty than that which was levied on such English vessels as were bound for a foreign port. Proposals of peace and commerce between New Netherland and Virginia were discussed without scruple by the respective colonial governments; and in 1660 a statute of Virginia extended to every Christian nation, in amity with England, a promise of liberty to trade and equal justice. At the restoration, Virginia enjoyed freedom of commerce.

Religious liberty advanced under the influence of independent domestic legislation. No churches had been erected except in the heart of the colony; and there were so few ministers that a bounty was offered for their importation. In the reign of Charles, conformity had been enforced by measures of disfranchisement and exile; under the commonwealth, all things respecting parishes and <sup>1658.</sup> parishioners were referred to their own ordering; <sup>Mar. 1.</sup> and religious liberty would have been perfect, but

for an act of intolerance, by which all Quakers were banished, and their return regarded as a felony.

Virginia was the first state in the world, composed of separate boroughs, diffused over an extensive surface, where representation was organized on the principle of universal suffrage. In 1655, an attempt was made to limit the right to housekeepers; but the very next year it was decided to be "hard, and unagreeable to reason, that any person shall pay equal taxes, and yet have no votes in elections;" and the electoral franchise was restored to all freemen. Servants, when the time of their bondage was completed, became electors, and might be chosen burgesses.

Thus Virginia established the supremacy of the popular branch, freedom of trade, the independence of religious societies, security from foreign taxation, and the universal elective franchise. Proud of her own sons, she already preferred them for places of authority. Emigrants never again desired to live in England. Prosperity advanced with freedom; dreams of new staples and infinite wealth were indulged; and the population, at the epoch of the restoration, may have been about thirty thousand. Many of the recent comers had been royalists, good officers in the war, men of education, of property, and of condition. The revolution had not subdued their characters; but the waters of the Atlantic divided them from the political strifes of Europe; their industry was employed in making the best advantage of their plantations; and the interests and liberties of the land which they adopted were dearer to them than the monarchical principles which they had espoused in England. Virginia had long been the home of its inhabitants. "Among many other blessings," said their statute-book, "God Almighty hath vouchsafed increase of children to this colony; who are now multiplied to a considerable number;" and the huts in the wilderness were as full as the birds'-nests of the woods.

The genial climate and transparent atmosphere delighted those who had come from the denser air of England. Every object in nature was new and wonderful. The loud and

frequent thunder-storms were phenomena that had been rarely witnessed in the colder summers of the north ; the forests, majestic in their growth, and free from under-wood, deserved admiration for their unrivalled magnificence ; purling streams and frequent rivers, flowing between alluvial banks, quickened the ever pregnant soil into an unwearied fertility ; strange and delicate flowers grew familiarly in the fields ; the woods were replenished with sweet barks and odors ; the gardens matured the fruits of Europe, of which the growth was invigorated and the flavor improved by the virgin mould. Especially the birds, with their gay plumage and varied melodies, inspired delight ; every traveller expressed his pleasure in listening to the mocking-bird, which carolled a thousand several tunes, imitating and excelling the notes of all its rivals. The humming-bird, so brilliant in its plumage, and so delicate in its form, quick in motion, yet not fearing the presence of man, haunting the flowers like the bee gathering honey, rebounding from the blossoms into which it dips its bill, and as soon returning "to renew its many addresses to its delightful objects," was ever admired as the smallest and the most beautiful of the feathered race. The rattlesnake, with the terrors of its alarms and the power of its venom ; the opossum, soon to become as celebrated for the care of its offspring as the fabled pelican ; the noisy frog, booming from the shallows like the English bittern ; the flying squirrel ; the myriads of pigeons, darkening the air with the immensity of their flocks, and, as men believed, breaking with their weight the boughs of trees on which they alighted, — were all honored with frequent commemoration, and became the subjects of the strangest tales. The concurrent relation of Indians justified the belief that, within ten days' journey towards the setting of the sun, there was a country where gold might be washed from the sand, and where the natives had learned the use of the crucible ; but inquiry was always baffled ; and the regions of gold remained for two centuries undiscovered.

Various were the employments by which the calmness of life was relieved. George Sandys, who for a time was in

Virginia as treasurer for the colony, but did not remain there, a poet, whose verse was tolerated by Dryden and praised by his friend Drayton and by Izaak Walton, as well as by Richard Baxter, employed the hours of night in translating the last ten books of Ovid's *Metamorphoses*. To the man of leisure, the chase furnished a perpetual resource. It was not long before the horse was multiplied in Virginia; and to improve that noble animal was early an object of pride, soon to be favored by legislation.

Equally proverbial was the hospitality of the Virginians. Land was cheap, and competence promptly followed industry. There was no need of a scramble. The morasses were alive with water-fowl; the creeks abounded with oysters, heaped together in inexhaustible beds; the rivers were crowded with fish; the forests were nimble with game; the woods rustled with coveys of quails and wild turkeys, and rung with the merry notes of singing-birds; and hogs, swarming like vermin, ran at large in troops. It was "the best poor man's country in the world." "If a happy peace be settled in poor England," it had been said, "then they in Virginia shall be as happy a people as any under heaven." But plenty encouraged indolence. No domestic manufactures were established; every thing was imported from England. The chief branch of industry was tobacco-planting; and invention was enfeebled by the uniformity of pursuit.

## CHAPTER VII.

## COLONIZATION OF MARYLAND.

1609. VIRGINIA, by its second charter, extended two hundred miles north of Old Point Comfort, and therefore included the soil which forms the state of Maryland. It was not long before the country towards the head of the Chesapeake was explored; settlements in Accomack were extended; and commerce was begun with tribes which Smith had been the first to visit. Pory, the secretary of the colony, 1621. "made a discovery into the great bay," as far as the river Patuxent, which he ascended; but his voyage probably reached no further to the north. An English settlement of a hundred men, on the eastern shore, was a consequence of his voyage. The hope "of a very good trade of furs" animated the adventurers; and commerce with the Indians was earnestly pursued under the sanction of the Virginia government.

An attempt to obtain a monopoly of this intercourse was made by William Clayborne, whose resolute spirit was destined to exert a powerful and long-continued influence. His first appearance in America was as a surveyor, sent by the London company to make a map of the country. 1624. At the fall of the corporation, he had been appointed by King James a member of the council; and, on the 1625. accession of Charles, was continued in office, and, in 1627 to 1629. repeated commissions, was nominated secretary of state. He further received authority from the governors of Virginia to discover the source of the Bay of the Chesapeake, and, indeed, any part of the province, from the thirty-fourth to the forty-first degree of latitude. Upon his favorable representation of the opportunities for traffic which the country afforded, a company was formed in England for trading with the natives; and, through the

agency of Sir William Alexander, the Scottish proprietor of Nova Scotia, in May, 1631, a royal license <sup>1631</sup> <sub>May 16.</sub> was issued, sanctioning the commerce, and conferring on Clayborne powers of government over the companions of his voyages. Under this grant, the Isle of Kent was occupied in the following August, and the right to the soil was soon after purchased of the Indians. An advanced post was established near the mouth of the Susquehannah. The settlers on Kent Island were all members of the church of England; and in February, 1632, they were <sup>1632.</sup> represented by a burgess in the grand assembly of Virginia. In March of that year, their license was <sup>Mar. 8.</sup> confirmed by a commission from Sir John Harvey as governor of Virginia.

The United States were severally colonized by men, in origin, religious faith, and purposes, as various as their climes. Before Virginia could occupy the country north of the Potomac, a new government in that quarter was promised to Sir George Calvert. Born in Yorkshire, <sup>1580.</sup> educated at Oxford, with a mind enlarged by extensive travel, on his entrance into life befriended by Sir Robert Cecil, advanced to the honors of knighthood, and <sup>1619</sup> at length employed as one of the two secretaries of state, he not only secured the consideration of his patron and his sovereign, but the good opinion of the world. In 1621, he stood with Wentworth to represent in parliament his native county, and escaped defeat, though <sup>1621</sup> not a resident in the shire. His capacity for business, his industry, and his fidelity to the king, are acknowledged by all historians. In the house of commons, it was he who made an untimely speech for the supply of the king's wants; and, when they claimed their liberties as their ancient and undoubted right and inheritance, it was to Calvert the king unbosomed his anger at their use of such "anti-monarchical words." The negotiations for the marriage of the Prince of Wales with a Spanish princess were conducted entirely by him. In an age of increasing divisions among Protestants, his mind sought relief from controversy in the bosom of the Roman Catholic Church; and,

professing his conversion without forfeiting the king's favor, he disposed advantageously of his place, which had been granted him for life, and obtained the title of Lord Baltimore in the Irish peerage.

He had, from early years, shared in the general enthusiasm of England in favor of American plantations; had been a member of the great company for Virginia; and, while secretary of state, had obtained a special patent for the southern promontory of Newfoundland, named Avalon, after the fabled isle from which King Arthur was to return alive. How zealous he was in selecting suitable emigrants; how earnest to promote order and industry; how lavishly he expended his estate in advancing the interests of his settlement,—is related by those who have written of his life. He desired, as a founder of a colony, not present profit, but a reasonable expectation; and, avoiding the evils of a common stock, he left each one to enjoy the results of his own industry. Twice did he, in person, inspect his settlement. On his second visit, with ships, manned at his own charge, he repelled the French, who were hovering round the coast to annoy English fishermen; and, having taken sixty of them prisoners, he secured a temporary tranquillity to his countrymen and his colonists.

Notwithstanding this success, he wrote to the king from his province that the difficulties he had encountered in that place were no longer to be resisted; that from October to May both land and sea were frozen the greatest part of the time; that he was forced to shift to some warmer climate of the New World; that, though his strength was much decayed, his inclination carried him naturally to "proceedings in plantations." He therefore desired the grant of a precinct of land in Virginia, with the same privileges which King James had conceded to him in Newfoundland.

Despatching this petition to the reigning king, he embarked for Virginia, and arrived there in October, the season in which the country on the Chesapeake arrays itself in its most attractive brightness. The governor and council forthwith ordered the oaths of allegiance and supremacy to be tendered him. It was in vain

that he proposed a form which he was willing to subscribe; they insisted upon that which had been chosen by the English statutes, and which was purposely framed in such language as no Catholic could adopt. An explanatory letter was transmitted from the Virginia government to the privy council; and they implored that no papists might be suffered to settle amongst them.

Almost at the very time when this report was written, the king at Whitehall, weighing that men of Lord Baltimore's condition and breeding were unfit for the rugged and laborious beginnings of new plantations, advised him to desist from further prosecuting his designs, and to return to his native country. He came back; but it was "to extol Virginia to the skies," and to persist in his entreaties. It was represented that on the north of the Potomac there lay a country occupied only by scattered hordes of native tribes. The French, the Dutch, and the Swedes were preparing to occupy it; and a grant seemed the readiest mode of securing it by an English settlement. The cancelling of the Virginia patents had restored to the monarch his prerogative over the soil; and it was not difficult for Calvert—a man of such moderation that all parties were taken with him; sincere in his character, disengaged from all interests, and a favorite with the royal family—to obtain a charter for uncultivated domains in that happy clime. The conditions of the grant conformed to the wishes, it may be to the suggestions, of the first Lord Baltimore himself, although it was finally issued for the benefit of his son.

The ocean, the fortieth parallel of latitude, the meridian of the western fountain of the Potomac, the river itself from its source to its mouth, and a line drawn due east from Watkin's Point to the Atlantic,—these were the limits of the territory, which was now erected into a province, and by the king's command, from Henrietta Maria, the daughter of Henry IV. and wife of Charles I., whose restless mind, disdaining contentment in domestic happiness, aspired to every kind of power and distinction, took the name of Maryland. The country thus described was given to Lord Baltimore, his heirs and assigns, as to its

absolute lord and proprietary, to be holden by the tenure of fealty only, paying a yearly rent of two Indian arrows, and a fifth of all gold and silver ore which might be found. Yet absolute authority was conceded to him rather with reference to the crown than the colonists. The charter, like the constitution of Virginia of July, 1621, provided for a resident council of state; and like his patent, which, in April, 1623, had passed the great seal for Avalon, secured to the emigrants themselves an independent share in the legislation of the province, of which the statutes were to be established with the advice and approbation of the majority of the freemen or their deputies. Authority was intrusted to the proprietary, from time to time, to constitute fit and wholesome ordinances, provided they were consonant to reason and the laws of England, and did not extend to the life, freehold, or estate of any emigrant. For the benefit of the colony, the statutes restraining emigration were dispensed with; and all present and future liege people of the English king, except such as should be expressly forbidden, might transport themselves and their families to Maryland. Christianity, as professed by the church of England, was protected; but the patronage and advowsons of churches were vested in the proprietary; and, as there was not an English statute on religion in which America was specially named, silence left room for the settlement of religious affairs by the colony. Nor was Baltimore obliged to obtain the royal assent to his appointments of officers, nor to the legislation of his province, nor even to make a communication of the one or the other. Moreover, the English monarch, by an express stipulation, covenanted that neither he, nor his heirs, nor his successors, should ever, at any time thereafter, set any imposition, custom, or tax whatsoever, upon the inhabitants of the province. To the proprietary was given the power of creating manors and courts baron, and of establishing a colonial aristocracy on the system of sub-infeudation. But feudal institutions could not be perpetuated in the lands of their origin, far less renew their youth in America. Sooner might the oldest oaks in Windsor forest be transplanted across the Atlantic,

than the social forms which Europe was beginning to reject as antiquated. But the seeds of popular liberty, contained in the charter, would find in the New World the soil best suited to quicken them.

Sir George Calvert deserves to be ranked among wise and benevolent lawgivers, for he connected his hopes of the aggrandizement of his family with the establishment of popular institutions; and, being a "papist, wanted not charity towards Protestants."

Before the patent could pass the great seal, he died, <sup>1632.</sup> April 15. leaving a name in private life free from reproach. As a statesman, he was taunted with being "an Hispaniolized papist;" and the justice of history must avow that he misconceived the interests of his country and of his king, and took part in exposing to danger civil liberty and the rights of the parliament of England. For his son, Cecil Calvert, the heir of his father's intentions not less than of his father's fortunes, the charter of Maryland was published and confirmed; and he obtained the high distinction of <sup>June 20.</sup> successfully performing what colonial companies resident in England had hardly been able to achieve. He planted a colony, which for several generations descended as a lucrative patrimony to his heirs.

Virginia regarded the severing of her territory with <sup>1633.</sup> apprehension; and, before any colonists had embarked under the charter for Maryland, her commissioners in England remonstrated against the grant, as an invasion of her commercial rights, an infringement on her domains, and a discouragement to her planters. In all the business, Strafford, the friend of the father, "took upon himself a noble patronage of" Lord Baltimore; and the remonstrance was in vain. The privy council sustained the pro- <sup>July 3.</sup> prietary charter; they left the claimants of the Isle of Kent to the course of law; at the same time, they advised the parties to an amicable adjustment of all disputes, and commanded a free commerce and a good correspondence between the respective colonies.

Lord Baltimore was unwilling to take upon himself the sole risk of colonizing his province; others joined with him

in the adventure; and, all difficulties being overcome, his two brothers, of whom Leonard Calvert was appointed his lieutenant, "with very near twenty other gentlemen of very good fashion, two or three hundred laboring men well provided in all things," and Father White with one or two more Jesuit missionaries, embarked themselves for the voyage in the good ship "Ark," of three hundred tons and upward,

Nov 22. 1633. and a pinnace called the "Dove," of about fifty tons. On the twenty-second of November, 1633, the ships, having been placed by the priests under the protection of God, the Virgin Mary, St. Ignatius, and all the other guardian angels of Maryland, weighed anchor from the Isle of Wight. As they sailed by way of the Fortunate Islands, Barbados, and St. Christopher's, it was

1634. Feb. 24. not until the last week in February, of the following year, that they arrived at Point Comfort, in Virginia; where, in obedience to the express letters of King Charles, they were welcomed with courtesy and humanity by Harvey. The governor offered them what Virginia had obtained so slowly, and at so much cost, from England: cattle, and hogs, and poultry; two or three hundred stocks already grafted with apples and pears, peaches and cherries; and promised that the new plantations should not want the open way to furnish themselves from the old. Clayborne, who had explored the Chesapeake Bay and had established a lucrative trade in furs from Kent and Palmer's Isles, also appeared, predicting the hostility of the natives; and was told that he was now a member of Maryland, and must relinquish all other dependence.

March. After a week's kind entertainment, the adventurers bent their course to the north and entered the Potomac. "A larger or more beautiful river," writes Father White, "I have never seen; the Thames, compared with it, can scarce be considered a rivulet; no undergrowth chokes the beautiful groves on each of its solid banks, so that you might drive a four-horse chariot among the trees." Under an island, which can now hardly be recognised with certainty, the "Ark" came to an anchor; while Calvert, with the "Dove" and another pinnace, ascended the stream. At about forty.

seven leagues above the mouth of the river, he came upon the village of Piscataqua, an Indian settlement nearly opposite Mount Vernon, where he found an Englishman, who had lived many years among the Indians as a trader and spoke their language well. With him for an interpreter, a parley was held with them. To the request for leave for the new comers to sit down in his country, the chieftain of the tribe would neither bid them go nor stay ; "they might use their own discretion." It did not seem safe to plant so far in the interior. Taking with him the trader, Calvert went down the river, examining the creeks and estuaries nearer the Chesapeake ; he entered the branch which is now called St. Mary's ; and, about four leagues from its junction with the Potomac, he anchored at the Indian town of Yoacomo. The native inhabitants, having suffered from the superior power of the Susquehannahs, who occupied the district between that river and the Delaware Bay, had already resolved to remove into places of more security ; and many of them had already begun to migrate. It was easy, by presents of cloth and axes, of hoes and knives, to gain their good-will, and to purchase their rights to the soil which they were preparing to abandon. With mutual promises of friendship and peace, they readily gave consent that the English should immediately occupy one half of their town ; and, after the harvest, the other.

On the twenty-fifth, the day of the Annunciation, in <sup>1634.</sup> <sub>Mar. 25.</sub> the island under which their great ship, the "Ark," lay moored, a Jesuit priest who was of the party offered the sacrifice of the mass, which in that region of the world had never been celebrated before. This being ended, he and his assistants took upon their shoulders the great cross which they had hewn from a tree ; and, going in procession to the place that had been designated, the governor and other Catholics and some Protestants as well participating in the ceremony, they erected it as a trophy to Christ the Saviour, while the litany of the holy cross was chanted humbly on their bended knees.

Upon the twenty-seventh, the emigrants, of whom <sub>Mar. 27.</sub> by far the larger number were Protestants, took quiet

possession of the land which the governor had bought.

Before many days, Sir John Harvey arrived on a visit; the red chiefs, also, came to welcome or to watch the emigrants, and were so well received that they resolved to give perpetuity to a mutual league of amity. The Indian women taught the wives of the new comers to make bread of maize; the warriors of the tribe instructed the huntsmen how rich were the forests of America in game, and joined them in the chase. Nor did the planters cease in the endeavor to remove all jealousy out of the minds of the natives, and at last they were able to settle with them a very firm peace and friendship.

As they had come into possession of ground already subdued, they at once planted cornfields and gardens. No sufferings were endured; no fears of want arose; the foundation of the colony of Maryland was peacefully and happily laid; and in six months it advanced more than Virginia in as many years. The proprietary continued with great liberality to provide every thing needed for its comfort and protection, expending twenty thousand pounds sterling, and his associates as many more. But far more memorable was the character of the Maryland institutions. One of the largest wigwams was allotted to the Jesuit missionaries, who relate that the first chapel in Maryland was built by the Indians. Of the Protestants, though they seem as yet to have been without a minister, the religious rights were not abridged. This enjoyment of liberty of conscience did not spring from any act of colonial legislation, nor from any formal and general edict of the governor, nor from any oath as yet imposed by instructions of the proprietary. English statutes were not held to bind the colonies, unless they especially named them; the clause which, in the charter for Virginia, excluded from that colony "all persons suspected to affect the superstitions of the church of Rome," found no place in the charter for Maryland; and, while allegiance was held to be due, there was no requirement of the oath of supremacy. Toleration grew up in the province silently, as a custom of the land. Through the benignity of the administration, no person professing to believe in the divinity of Jesus Christ

was permitted to be molested on account of religion. Roman Catholics, who were oppressed by the laws of England, were sure to find a peaceful asylum on the north bank of the Potomac; and there, too, Protestants were sheltered against Protestant intolerance. From the first, men of foreign birth were encouraged to plant, and enjoyed equal advantages with those of the English and Irish nations.

Such were the beautiful auspices under which Maryland started into being; its prosperity and peace seemed assured. But no sooner had the allegiance of Clayborne's settlement been claimed under the patent of Maryland, than he inquired of the governor and council of Virginia how he should demean himself; and was answered that, as the question was undetermined in England, they knew no reason why they should render up the rights of the Isle of Kent, which they were bound in duty to maintain. Fortified by this decision and by the tenor of letters from the king, he continued his traffic as before. On the other hand, Lord Baltimore, in September, gave orders to seize him, if he did not submit to his government; and the secretary of state "directed Sir John Harvey to continue his assistance against Clayborne's malicious practices."

In February, 1635, the colony was convened for legislation. Probably all the freemen were present, in a strictly popular assembly. The laws of this first legislative body of Maryland are no longer extant; nor do we know what part it took in vindicating the jurisdiction of the province. But in April, 1635, the pin-nace, in which men employed by Clayborne had been trafficking, was seized by a party from St. Mary's. Resenting the act, he sent a vessel into the Chesapeake to demand the restoration of his captured property. On the tenth of May, a skirmish took place on one of the rivers of the eastern shore, south of Kent Island. The Marylanders, with the loss of but one man, slew the commander and two others of the Virginians, and took the rest prisoners.

Unable to continue the contest by force, Clayborne repaired to England to lay his case before the king. During

his absence, and just before the end of 1637, the government of Maryland was established on the Isle of Kent.  
1638. In the following January, an assembly of the colony, in which Kent Island was represented, was convened; and an act of attainder was carried against him, as one who had been indicted for piracy and murder and had fled from justice. Thomas Smith, who had acted as his officer, could not be tried by a jury, for there was no law that reached his case; he was therefore called to the bar of the house, arraigned upon an indictment for piracy, and, after his plea had been heard, was found guilty by all the members except one. Sentence was pronounced on him by the president, in the name of the freemen; all his property except the dower of his wife was forfeited; and he was condemned to be hanged. Then did the prisoner demand his clergy; but it was denied by the president, both for the nature "of his crime and that it was demanded after judgment."

In England, Clayborne attempted to gain a hearing; and, partly by strong representations, still more by the influence of Sir William Alexander, succeeded, for a season, in procuring the favorable disposition of Charles. But, when the

1639. April. whole affair came to be finally referred to the commissioners for the plantations, it was found that the right of the king to confer the soil and the jurisdiction of Maryland could not be controverted; that the earlier license to traffic did not vest in Clayborne any rights which were valid against the charter; and therefore that the Isle of Kent belonged to Lord Baltimore, who alone could permit plantations to be established, or commerce with the Indians to be conducted, within his territory.

The people of Maryland were not content with vindicating the limits of their province; they were jealous of their liberties. Their legislature rejected the code which the proprietary, as if holding the exclusive privilege of proposing statutes, had prepared for their government; and, asserting their equal rights of legislation, they, in their turn, enacted a body of laws, which they proposed for the assent of the proprietary. How discreetly they proceeded cannot now be known; for the laws, which were then enacted, were

never ratified, and are not to be found in the provincial records.

In the early history of the United States, nothing 1639. is more remarkable than the uniform attachment of every colony to political franchises; and popular assemblies burst everywhere into life, with a consciousness of their importance, and an immediate efficiency. The first assembly of Maryland had vindicated the jurisdiction of the colony; the second had asserted its claims to original legislation; the third examined its obligations, and, though its acts were not carried through the forms essential to their validity, it displayed the spirit of the people and the times by framing a declaration of rights. Acknowledging allegiance to the English monarch and the prerogatives of Lord Baltimore, it confirmed to all Christian inhabitants of Maryland, slaves excepted, all the liberties which an Englishman enjoyed at home by virtue of the common or statute law; established a system of representative government; and asserted for their general assemblies all such powers as were exercised by the commons of England. The exception of slaves implies that negro slavery had already intruded itself into the province. At this session, any freeman, who had not taken part in the election, might attend in person; henceforward, the governor might summon his friends by special writ; while the people were to choose as many delegates as "the freemen should think good." As yet there was no jealousy of power, no strife for place. While these laws prepared a frame of government for future generations, we are reminded of the feebleness of the state, where the whole people contributed to "the setting up of a water-mill."

The restoration of the charter of the London company would have endangered the separate existence of Maryland; yet we have seen Virginia, which had ever been jealous of the division of its territory, defeat the attempt to revive the corporation. In October, 1640, the legislative assembly of Maryland, in the grateful enjoyment of 1640. Oct. happiness, seasonably guarded the tranquillity of the province against the perplexities of an "interim," by providing for the security of the government in case of the death

of the deputy governor. Commerce was fostered; and tobacco, the staple of the colony, subjected to inspection. The act which established church liberties declares that "holy church, within this province, shall have and enjoy all her rights, liberties, and franchises, wholly and without blemish." This enactment of a clause in Magna Charta, cited in the preceding century by some of the separatists, as a guarantee of their religious liberty, was practically interpreted as in harmony with that toleration of all believers in the divinity of Jesus Christ, which was the recognised usage of the land.

Nor was it long before the inhabitants acknowledged Lord Baltimore's great charge and solicitude in maintaining the government, and protecting them in their persons, rights, and liberties; and therefore, "out of desire to return some testimony of gratitude," they granted "such a subsidy as the young and poor estate of the colony could bear." Ever intent on advancing the interests of his colony, the proprietary invited the Puritans of Massachusetts to emigrate to Maryland, offering them lands and privileges, and "free liberty of religion;" but Gibbons, to whom he had forwarded a commission, was "so wholly tutored in the New England discipline" that he would not advance the wishes of the Irish peer; and the people were not tempted to desert the Bay of Massachusetts for the Chesapeake.

The aborigines, alarmed at the rapid increase of the Europeans, vexed at being frequently overreached by their <sup>1642 to 1644.</sup> cupidity, commenced hostilities; for the Indians, ignorant of the remedy of redress, always plan retaliation. After a war of frontier aggressions, marked by no decisive events, peace was re-established with them on the usual terms of submission and promises of friendship, and rendered durable by the prudent legislation of the assembly and the humanity of the government. Kidnapping them was made a capital offence; the sale of arms to them prohibited as a felony; and the pre-emption of the soil reserved to the proprietary.

To this right of pre-emption Lord Baltimore would suffer no exception. The Jesuits had obtained a grant of land

from an Indian chief; the proprietary, "intent upon his own affairs, and not fearing to violate the immunities of the church," would not allow that it was valid, and persisted in enforcing against Catholic priests the necessity of obtaining his consent before they could acquire real estate in his province in any wise, even by gift.

In April, 1642, Clayborne obtained from the king 1642. a patent as treasurer of Virginia for life; while the proprietary of Maryland, intent on preserving his patent, desired carefully to avoid a collision with parliament. In the mixed population of Maryland, where the administration was in the hands of Catholics and the very great majority of the people were Protestants, there was no unity of sentiment out of which a domestic constitution could have harmoniously risen. At a time when the commotions in England left every colony in America almost unheeded, and Virginia and New England were pursuing a course of nearly independent legislation, the power of the proprietary was almost as feeble as that of the king. The other colonies took advantage of the period to secure and advance their liberties: in Maryland, the effect was rather to encourage insubordination; the government vibrated with every change in the political condition of England.

In this state of uncertainty, Leonard Calvert, the proprietary's deputy, repaired to England to take counsel with his brother. During his absence, and towards the end of the year 1643, a London ship, commis- 1643. sioned by parliament, anchored in the harbor of St. Mary's; and Brent, the acting governor, under a general authority from the king at Oxford, but with an indiscretion which was in contrast with the caution of the proprietary, seized the ship, and tendered to its crew an oath against the parliament. Richard Ingle, the commander, having escaped, in January, 1644, he was summoned by 1644 proclamation to yield himself up, while witnesses were sought for to convict him of treason. The new commission to Governor Calvert plainly conceded to the representatives of the province the right of originating laws. It no longer required an oath of allegiance to the king, but it

exacted from every grantee of land an oath of fidelity to the proprietary. This last measure proved only a new entanglement.

In September, Calvert returned to St. Mary's to find the colony rent by factions, and Clayborne still restless in asserting his claim to Kent Island. Escaping by way of Jamestown to London, Ingle had obtained there a letter of marque; and, without any other authority, reappearing in Maryland, he raised the standard of parliament against the established authorities; made away with the records and the great seal; and, by the aid of Protestants, compelled the governor and secretary, with a few of their devoted friends, to fly to Virginia. Father White and the other Jesuit missionaries were seized and shipped to England; an oath of submission was tendered to the inhabitants, but it was not subscribed by even one Catholic. After his lawless proceedings, which wrought for the colony nothing but confusion, and waste of property, and insurrectionary misrule, Ingle returned to England.

1645. A fugitive in Virginia, Calvert asked aid of that province. Its governor and council "could send him no help;" but they invited Clayborne "to surcease for the present all intermeddling with the government of the Isle of Kent." Their offer to act as umpires was not accepted. Before the close of the year 1646, Calvert organized a force strong enough to make a descent upon St. Mary's and recover the province. In April, 1647. he, in person, reduced Kent Island, and established Robert Vaughan, a Protestant, as its commander. Tranquillity returned with his resumption of power, and was confirmed by his wise clemency. On the ninth of the following June, he died; and his death foreboded for the colony new disasters; for, during the troublous times which followed, no one of his successors had his prudence or his ability. His immediate successor was Thomas Greene, a Roman Catholic.

Meantime, the committee of plantations at London, acting on a petition, which stated truly that the government of Maryland, since the first settlement of that province,

had been in the hands of recusants, and that under a commission from Oxford it had seized upon a ship which derived its commission from parliament, reported both Lord Baltimore and his deputy unfit to be continued in their charges, and recommended that parliament should settle the government of the plantation in the hands of Protestants.

This petition was read in the house of lords, in the last week of the year 1645; but neither then, <sup>1645 to 1647.</sup> nor in the two following years, were definite measures adopted by parliament, and the politic Lord Baltimore had ample time to prepare his own remedies. To appease the parliament, he removed Greene, and in August, 1648, appointed in his place William Stone, <sup>1648. Aug. 6.</sup> a Protestant, of the church of England, formerly a sheriff in Virginia, who had promised to lead a large number of emigrants into Maryland. For his own security, he bound his Protestant lieutenant, or chief governor, by the most stringent oath to maintain his rights and dominion as absolute lord and proprietary of the province of Maryland: and the oath, which was devised in 1648, and not before, went on in these words: "I do further swear I will not by myself, nor any other person, directly trouble, molest, or discountenance any person whatsoever in the said province, professing to believe in Jesus Christ; and, in particular, no Roman Catholic, for or in respect of his or her religion, nor his or her free exercise thereof within the said province, so as they be not unfaithful to his said lordship, or molest or conspire against the civil government established under him." To quiet and unite the colony, all offences of the late rebellion were effaced by a general amnesty; and, at the instance of the Catholic proprietary, the Protestant governor, Stone, and his council of six, composed equally of Catholics and Protestants, and the representatives of the people of Maryland, of whom five were Catholics, at a general session of the assembly, held in April, 1649, placed upon <sup>1649. Apr. 21.</sup> their statute-book an act for the religious freedom which, by the unbroken usage of fifteen years, had become sacred on their soil. "And whereas the enforcing of the

conscience in matters of religion," such was the sublime tenor of a part of the statute, "hath frequently fallen out to be of dangerous consequence in those commonwealths, where it has been practised, and for the more quiet and peaceable government of this province, and the better to preserve mutual love and amity among the inhabitants, no person within this province, professing to believe in Jesus Christ, shall be in any ways troubled, molested, or discomfited, for his or her religion, or in the free exercise thereof." Thus did the star of religious freedom harbinger the day; though, as it first gleamed above the horizon, its light was colored and obscured by the mists and exhalations of morning. The Independents of England, in a paper which they called "the agreement of the people," expressed their desire to grant to all believers in Jesus Christ the free exercise of their religion; but the Long Parliament rejected their prayer, and in May, 1648, passed an ordinance, not to be paralleled among Protestants for its atrocity, imposing death as the penalty for holding any one of eight enumerated heresies. Not conforming wholly to the precedent, the clause for liberty in Maryland, which extended only to Christians, was introduced by the proviso that "whatsoever person shall blaspheme God, or shall deny or reproach the Holy Trinity, or any of the three persons thereof, shall be punished with death." Nowhere in the United States is religious opinion now deemed a proper subject for penal enactments. The only fit punishment for error is refutation: God needs no avenger in man. The foolhardy levity of shallow infidelity proceeds from a morbid passion for notoriety, or the malice that finds pleasure in annoyance: the laws of society should do no more than reprove the breach of its decorum. Blasphemy is the crime of despair. One hopeless sufferer commits suicide; another curses Divine Providence for the evil which is in the world, and of which he cannot solve the mystery. The best medicine for intemperate grief is compassion; the keenest rebuke for ribaldry, contempt.

But the design of the law of Maryland was undoubtedly to protect freedom of conscience; and, some years after it

had been confirmed, the apologist of Lord Baltimore could assert that his government, in conformity with his strict and repeated injunctions, had never given disturbance to any person in Maryland for matter of religion; that the colonists enjoyed freedom of conscience, not less than freedom of person and estate. The disfranchised friends of prelacy from Massachusetts, and the exiled Puritans from Virginia, were welcomed to equal liberty of conscience and political rights by the Roman Catholic proprietary of Maryland; and the usage of the province from its foundation was now confirmed by its statutes. The attractive influence of this liberality for the province appeared immediately: a body of Puritans or Independents in Virginia, whom Sir William Berkeley had ordered to leave that province for their non-conformity, negotiated successfully with the proprietary for lands in Maryland; and, before the end of the year 1649, the greater part of the congregation planted themselves on the banks of the Severn. To their place of refuge, now known as Annapolis, they gave the name of Providence; there "they sat down joyfully, and cheerfully followed their vocations."

An equal union prevailed between all branches of the government in explaining and confirming the civil liberties of the colony. In 1642, Robert Vaughan, in the name of the rest of the burgesses, had desired that the house might be separated, and thus a negative secured to the representatives of the people. Before 1649, this change had taken place; and in 1650 it was established by an enactment. The dangerous prerogative of employing martial law was limited to the precincts of the camp and the garrison; and a perpetual act declared that no tax should be levied upon the freemen of the province, except by the vote of their deputies in a general assembly. Well might the freemen of Maryland place upon their records an acknowledgment of gratitude to their proprietary, "as a memorial to all posterities," and a pledge that succeeding generations would faithfully "remember" his care and industry in advancing "the peace and happiness of the colony."

The revolutions in England could not but affect the

destinies of the colonies ; and, while New England and Virginia vigorously advanced their liberties under the salutary neglect, Maryland was involved in the miseries of a disputed government. Doubts were raised as to the authority to which obedience was due ; and the government of benevolence, good order, and toleration, was, by the force of circumstances, soon abandoned to the misrule of bigotry and the anarchy of a disputed sovereignty. When the throne and the peerage had been subverted in England, it might be questioned whether the mimic monarchy of Lord Baltimore should be permitted to continue ; and scrupulous Puritans hesitated to take an unqualified-oath of fealty, with which they might be unable to comply. Englishmen were no longer lieges of a sovereign, but members of a commonwealth ; and, but for Baltimore, Maryland would equally enjoy republican liberty. Great as was the temptation to assert independence, it would not have prevailed, could the peace of the province have been maintained. But who, it might well be asked, was the sovereign of Maryland ? "Beauty and extraordinary goodness" were her dowry ; and she was claimed by four separate aspirants. Virginia, pushed on by Clayborne, was ready to revive its rights to jurisdiction beyond the Potomac ; Charles II., incensed against Lord Baltimore for his adhesion to the rebels and his toleration of schismatics, had issued a commission as governor to Sir William Davenant ; Stone was the active deputy of Lord Baltimore ; and the Long Parliament prepared to intervene.

1650. In the ordinance for the reduction of the rebellious colonies, Maryland was not included. Charles II. had been inconsiderately proclaimed by Greene, while acting as governor during an absence of Stone in Virginia ; but the proclamation was disavowed, and assurances had been given of the fidelity of the proprietary to the commonwealth. But the popish monarchical Baltimore had 1651. Sept. wakeful opponents. In the instructions to the parliamentary commissioners, the name of Maryland twice found a place, and at the proprietary's representation was twice struck out ; yet, in the last draft, they were, by

some unknown means, empowered to reduce "all the plantations within the Bay of the Chesapeake." <sup>1652.</sup> Bennett and Clayborne accordingly entered the province. <sup>March.</sup>

In the settlement with Virginia, we have seen that they aimed at reannexing the territory of Maryland to that colony; but they dared not of themselves enforce that agreement. The offer was therefore made, that the proprietary's officers should remain in their places, if, without infringing his just rights, they would conform to the laws of the commonwealth of England in point of government; but they refused to issue forth writs in the name of the Keepers of the Liberty of England, saying "they could not do it without breach of their trust and oath." Thereupon, Bennett and his associate took possession of the commissions of Stone and his council, declared them to be null and void, and of their own authority appointed an executive council to direct the affairs of Maryland. For the following June, an assembly was to be summoned, of which the burgesses were to be chosen only by freemen who had taken the engagement to the commonwealth of England, as established without house of lords or king.

The assembly of Virginia, which met at James City on the last day of April, did not give effect to the article restoring its ancient bounds, but awaited instructions from the parliament of England. After organizing its government, the commissioners, who had attended the session, returned to Maryland; and there, conforming to the manifest desire of the inhabitants, they reinstated Stone as governor, with a council of which three at least were the friends of Lord Baltimore, on no other condition than their acquiescence in what had been done. The government thus instituted "being to the liking of the people," the calling of an assembly was postponed. The restoration of Kent Island, to Clayborne was aimed at indirectly by a treaty with the Susquehannahs, from whom his original title was derived.

In England, Lord Baltimore was roused to the utmost efforts to preserve his province. He gave reasons of state to show the importance of not reuniting it to Virginia to the prejudice of his patent. He even sought to strengthen his

1652. case by dwelling on the monarchical tendencies of  
Aug. Virginia, and holding up Maryland and New Eng-

land as "the only two provinces that did not declare  
against the parliament." His argument was supported by  
a petition from himself and his associate adventurers, and  
from traders and planters in Maryland. The Long Parlia-  
ment referred the question of bounds to their committee of  
the navy, who had power to send for persons and  
Dec. 31. papers. On the last day of the year, that committee  
made an elaborate and impartial report; but, before  
the controversy could be decided, the Long Parliament was  
turned out of doors.

1653. The dissolution of the Long Parliament threatened  
April. a change in the political condition of Maryland. It  
was argued that the only authority under which Ben-  
nett and Clayborne had acted had expired with the  
1654. body from which it was derived. In February, 1654,

Stone required by proclamation an oath of fidelity to  
the proprietary, as the condition of grants of lands. The  
housekeepers of Anne Arundel county promptly objected  
to the oath; so did Francis Preston and sixty others, and  
they protested against the restoration of the old form of  
government. Bennett and Clayborne bade them stand fast  
by the form which the commissioners had established.  
About the middle of July, though Stone had in May pro-  
claimed Cromwell as lord protector, fired salutes in his  
honor, and commemorated the solemnity by grants of par-  
don, Bennett and Clayborne, then governor and secretary  
of Virginia, came to Maryland, and raised as soldiers the  
inhabitants on the Patuxent River, with those of Anne  
Arundel and of the Isle of Kent, to take the government  
out of his hands. The party which supported him consisted  
in part of Protestants, and he prepared himself for defence.  
"But those few papists that were in Maryland, for indeed  
they were but few," so writes one of their friends, "im-  
portunately persuaded Governor Stone not to fight, lest the cry  
against the papists, if any hurt were done, would be so  
great that many mischiefs would ensue, wholly referring  
themselves to the will of God and the lord protector's de-

termination." Yielding to their advice against that of his Protestant friends, Stone surrendered his commission into their hands; and, under compulsion, pledged himself in writing to submit to such government as should be set over the province by the commissioners in the name of the lord protector. Two days after his resignation, Bennett and Clayborne appointed Captain William Fuller and nine others commissioners for governing Maryland. They were enjoined to summon, for the next October, an assembly, for which all who had borne arms against the parliament, or professed the Roman Catholic religion, were disabled to vote or to be elected.

Parties became identified with religious sects; and Maryland itself was the prize for which they contended. A new assembly, representing a faction, not the whole people, coming together at Patuxent, acknowledged the authority of Cromwell; but it also disfranchised the whole Romish party. Following the precedent established by an ordinance of the Long Parliament, it confirmed the liberty of religion, provided the liberty were not extended to "popery, prelacy, or licentiousness" of opinion. The cedar and the myrtle and the oil-tree might no longer be planted in the wilderness together.

When the proprietary heard of these proceedings, he reproved his lieutenant for want of firmness. The pretended assembly was esteemed "illegal, mutinous, and usurped;" and his officers, under the powers which the charter conferred, prepared to vindicate his supremacy. Towards the end of January, on the receipt of news by a ship from London, it was noised abroad that his patent was upheld by the protector; and Stone, pleading that his written resignation to the ten commissioners was invalid, because it had been extorted from him by force, began to issue orders for the restoration of his authority. Papists and friendly Protestants received authority to levy men; and the leaders of this new appeal to arms were able to surprise and get possession of the provincial records. They marched from Patuxent towards Anne Arundel, the chief seat of the republicans. The inhabitants of

1654.  
Oct.

1655.

Mar. 25.

Providence and their partisans gathered together with superior zeal and courage. Aided by the "Golden Lyon," an English ship which happened then to be in the waters of the Severn, they attacked and discomfited the party of Stone. After the skirmish, the governor, upon quarter given him, yielded himself and his company as prisoners; but, two or three days after, the victors by a council of war condemned him, his councillors, and some others, in all ten in number, to be shot. Eltonhead, one of the condemned, appealed to Cromwell, but in vain; and sentence was presently executed upon him and three others. Of the four, three were Roman Catholics. The remaining six, some on the way to execution, were saved "by the begging of good women and friends" who chanced to be there, or by the soldiers; it was to the intercession of the latter that Governor Stone owed his life. Rushing into the houses of the Jesuits, men demanded "the impostors," as they called them; but the fathers escaped to hiding-places in Virginia.

A friend to Lord Baltimore, then in the province, begged of the protector no other boon than that he would "condescend to settle the country by declaring his determinate will;" and yet the same causes which led Cromwell to neglect the internal concerns of Virginia compelled him to pay but little attention to the disturbances in Maryland. On the one hand, he respected the rights of property of Lord Baltimore; on the other, he "would not have a stop put to the proceedings of the commissioners who were authorized to settle the civil government." The right to the jurisdiction of Maryland remained, therefore, a disputed question.

<sup>1656.</sup> In July, 1656, Lord Baltimore commissioned Josiah <sup>July 10.</sup> Fendall as his lieutenant, and, before the end of the year, sent over his brother Philip as councillor and principal secretary of the province. The ten men none the less continued to exercise authority; and, "for his dangerousness," they held Fendall under arrest, until in the face of the whole court he took an oath not to disturb their government, but to await a final decision from England. To <sup>1657.</sup> England, therefore, he sailed the next year, that he

might consult with Baltimore, leaving Barber, a former member of Cromwell's household, as his deputy. Still the protector, by reason "of his great affairs," had not leisure to consider the report of the commissioners for trade on the affairs of Maryland. At last, in November, 1657, Lord Baltimore, by "the friendly endeavors of Edward Digges," negotiated with Bennett and Matthews, all being then in England, an agreement for the recovery of his province. The proprietary covenanted so far to waive his right of jurisdiction as to leave the settlement of past offences and differences to the disposal of the protector and his council; to grant the land claims of "the people in opposition," without requiring of them an oath of fidelity, but only some engagement for his support; and, lastly, he promised for himself never to consent to a repeal "of the law whereby all persons professing to believe in Jesus Christ have freedom of conscience there."

Returning to his government with instructions, Fendall, in the following March, held an interview <sup>1658.</sup> <sub>March.</sub> with Fuller, Preston, and the other commissioners at St. Leonards, when the agreement was carried into effect. The Puritans were further permitted to retain their arms, and were assured of indemnity for their actions. The proceedings of the assemblies and the courts of justice, since the year 1652, in so far as they related to questions of property, were confirmed.

The death of Cromwell left the condition of England uncertain, and might well diffuse gloom through the counties of Maryland. For ten years the unhappy province had been distracted by dissensions, of which the root had consisted in the claims that Baltimore had always asserted, and had never made good. Did new revolutions await the colony, new strifes with Virginia, the protector, the proprietary, the king? Wearyed with long convulsions, a general assembly saw no security but in asserting the power of the people, and constituting the government on the expression of their will. Accordingly, on the twelfth of March, 1660, just one day before that memorable <sup>1660.</sup> <sub>Mar. 12.</sub> session of Virginia, when the people of the Ancient

Dominion adopted a similar system of independent legislation, the representatives of Maryland, meeting in the house of Robert Slye, voted themselves a lawful assembly, without dependence on any other power in the province. The burgesses of Virginia assumed to themselves the election of the council; the burgesses of Maryland refused to acknowledge the rights of the body claiming to be an upper house. In Virginia, Berkeley yielded to the public will; in Maryland, Fendall permitted the power of the people to be proclaimed. The representatives of Maryland, having thus settled the government, independent of their proprietary and of his governor and council, and hoping for tranquillity after years of storms, passed an act making it felony to disturb the order which they had established.

Thus was Maryland, like Virginia, at the epoch of the restoration, in full possession of liberty, by the practical exercise of the sovereignty of the people. Like Virginia, it had so nearly completed its institutions that, till the epoch of its final separation from England, it hardly made any further advances towards freedom and independence.

Men love liberty, even if it be turbulent; and the colony had increased, and flourished, and grown rich, in spite <sup>1660.</sup> of domestic dissensions. Its population, in 1660, is variously estimated at twelve thousand and at eight thousand; the latter number is probably nearer the truth. The country was dear to its inhabitants. There they desired to spend the remnant of their lives, there to make their graves.

## CHAPTER VIII.

## THE PILGRIMS.

THE settlement of New England was, a result of the Reformation; not of the contest between the new opinions and the authority of Rome, but of implacable differences between Protestant dissenters and the established Anglican church.

Who will venture to measure the consequences of actions by the humility or the remoteness of their origin? The Power which enchains the destinies of states, overruling the decisions of sovereigns and the forethought of statesmen, often deduces the greatest events from the least considered causes. A Genoese adventurer, discovering America, changed the commerce of the world; an obscure German, inventing the printing-press, rendered possible the universal diffusion of increased intelligence; an Augustine monk, denouncing indulgences, introduced a schism in religion, and changed the foundations of European politics; a young French refugee, skilled alike in theology and civil law, in the duties of magistrates and the dialectics of religious controversy, entering the republic of Geneva, and conforming its ecclesiastical discipline to the principles of republican simplicity, established a party, of which Englishmen became members, and New England the asylum. The enfranchisement of the mind from religious despotism led directly to inquiries into the nature of civil government; and the doctrines of popular liberty, which sheltered their infancy in the wildernesses of the newly discovered continent, within the short space of two centuries have infused themselves into the life-blood of every rising state from Labrador to Chili; have erected outposts on the Oregon and in Liberia; and, making a proselyte of enlightened France, have dis-

turbed all the ancient governments of Europe, by awakening the public mind to resistless action, from the shores of Portugal to the palaces of the czars.

Before the joint incorporation of the London and Plymouth companies for Virginia, Sir Ferdinando Gorges, the governor of Plymouth, and Sir John Popham, the chief justice of England, had agreed together to send out each a ship to begin a plantation in the region which Waymouth had explored. Chalons, the captain employed by Gorges, in violation of his instructions, took the southern passage, and was carried by the trade-winds even to Porto Rico. As he turned to the north, he was captured by the Spanish fleet from Havana. The tall and well-furnished ship provided by Popham sailed from the river of Severn, under the command of Martin Pring. The able mariner, now on his second voyage to the west, disappointed of meeting Chalons, busied himself in the perfect discovery of all the rivers and harbors along our north-eastern coast; and, on his return, he made the most exact and most favorable report of the country which he had explored.

Out of his report sprung the first great effort to occupy the region then known as Northern Virginia; and, like that of Southern Virginia, it was made under the auspices of the king and of the church of England. The chief justice was no novice in schemes of colonization, having "labored greatly in the last project touching the plantation of Munster" in Ireland; Gorges, the younger associate, still clung to the hope of acquiring domains and fortune in America. Under the charter to the Plymouth company, now fourteen months old, and six months after the departure of the first colony for the Chesapeake Bay, one hundred and 1607. twenty persons for planters sailed from Plymouth in the good ship "Mary and John," of London; with Raleigh Gilbert for its captain, and in a fly-boat called the "Gift of God," commanded by a kinsman of the chief justice, George Popham, who was "well stricken in years and infirm, yet willing to die in acting something that might be serviceable to God and honorable to his country."

After a voyage of two months, in the afternoon of the last day of July, old style, they stood in for the shore, and found shelter under Monhegan Island. Their <sup>1607.</sup> first discovery was that the fishermen of France and Spain had been there before them. They had not ridden at anchor two hours, when a party of Indians, in a Spanish shallop, came to them from the shore, and rowed about them; and the next day, in a Biscay boat, returned with women, bringing with them many beaver-skins to exchange for knives and beads. In the following days, the emigrants explored the coast and islands; and on the sixteenth of August both ships entered the Kennebec.

On the nineteenth, old style, they all went on shore; <sup>Aug. 19.</sup> made choice of the Sabino peninsula, near the mouth of that river, for their fort; and "had a sermon delivered unto them by their preacher." After the sermon, they listened to the reading of the commission of George Popham, their president, and of the laws appointed by King James. Five others were sworn assistants. Without delay, most of the men, under the oversight of the president, labored hard on a fort which they named St. George, a storehouse, fifty rude cabins for their own shelter, and a church. The carpenters set about the building of a small pinnace, the chief shipwright being one Digby, the first constructor of sea-going craft in New England. Meantime, Gilbert coasted toward the west, judged it to be exceeding fertile from the goodly and great trees with which it was covered, and brought back news of the beauty of Casco Bay with its hundreds of isles. When, following the invitation of the mighty Indian chief who ruled on the Penobscot, Gilbert would have visited that river, he was driven back by foul weather and cross winds. But he remained faithfully in the colony; and, in December, despatched away his ship under another commander, who bore letters announcing to the chief justice the forwardness of the plantation, and importuning supplies for the coming year. A letter from President Popham to King James informed that monarch that his justice and constancy, his praises and virtues, had been proclaimed to the natives; and that the country produced fruits resembling spices, as well

as timber of pine, and lay hard by the great highway to China over the southern ocean.

The winter proved to be intensely cold; no mines 1608. were discovered; the natives, at first most friendly, grew restless; the storehouse caught fire, and a part of the provisions of the colony was consumed; the emigrants had brought discontent with them; their president found his grave on American soil, "the only one of the company that died there;" to the discomfort and despair of the poor planters, the ship which revisited the settlement with supplies brought news of the death of the chief justice, who had been the stay of the enterprise; and Gilbert, who had shown rare ability, and had succeeded to the command at St. George, had, by the decease of his brother, become heir to an estate in England which required his presence. So, notwithstanding all things were in good forwardness, the fur-trade with the Indians prosperous, and a store of sarsaparilla gathered, "all former hopes were frozen to death;" and nothing was thought of but to quit the place. Wherefore they all embarked in the newly arrived ship, and in the new pinnace, the "Virginia," and set sail for England. Here was the end of that northern colony upon the river Sagadahock. The returning colonists "did coyne many excuses" to conceal their want of spirit; but the Plymouth company was dissatisfied; Gorges esteemed it a weakness to be frightened at a blast. Three years had elapsed since the French had huttied themselves at Port Royal; and the ships which carried the English from the Kennebec were on the ocean at the same time with the squadron of those who built Quebec, during the summer in which Maine was deserted.

The thought of colonies in these northern latitudes grew familiar. Vessels were annually employed in the New England fisheries and fur-trade; and once at least, perhaps oftener, some part of a ship's company remained during the winter on the American coast. But new hopes were 1614. awakened, when in April, 1614, John Smith—late the April president of Virginia, and who had, with unwearied importunity and firmness, asserted that colonization was the

true policy of England — sailed with two ships for the coast north of the lands granted to the London company. This private adventure of “four merchants of London and himself” was very successful. The freights were profitable; the health of the mariners did not suffer; and the whole voyage was accomplished in less than seven months. While the sailors were busy with their hooks and lines, Smith examined the shores from the Penobscot to Cape Cod, prepared a map of the coast, and named the country New England,—a title which Prince Charles confirmed. The French could boast, with truth, that New France had been colonized before New England obtained a name; Port Royal was older than Plymouth, Quebec than Boston. After the departure of Smith for England, Thomas Hunt, the master of the second ship, kidnapped a large party of Indians, and sold “the poor innocents” into slavery to the Spaniards. Yet good was educed from evil: one of the number, escaping from captivity, made his way to London, and, in 1619, was restored to his own country, where he became an interpreter for English emigrants.

Encouraged by commercial success, Smith, in 1615, in the employment of Sir Ferdinando Gorges and of friends in London who were members of the Plymouth company, endeavored to establish a colony. Sixteen men were all whom the adventurers destined for the occupation of New England. The attempt was unsuccessful. Smith was forced by violent storms to return. Again renewing his enterprise, he suffered from the treachery of his companions, and was intercepted by French pirates. His ship having been taken away, he himself escaped alone, in an open boat, from the harbor of Rochelle. The severest privations in a new settlement would have been less wearisome than the labors which his zeal now prompted him to undertake. Having published a map and a description of New England, he spent many months in 1617. visiting the merchants and gentry of the west of England, to excite their enterprise: he proposed to the cities mercantile profits, to be realized in short and safe voyages; to the noblemen, vast dominions; from men of

small means, his earnestness concealed the hardships of emigrants, and upon the dark ground drew a lively picture of the rapid advancement of fortune by colonial industry, of the abundance of game, the delights of unrestrained liberty, the pleasures to be derived from "angling and crossing the sweet air from isle to isle over the silent streams of a calm sea." The western company began to form vast plans of colonization; Smith was appointed admiral of the country for life; and a renewal of the letters patent, with powers analogous to those possessed by the southern company,

became an object of eager solicitation. But a new <sup>1618.</sup> charter was not obtained without vigorous opposition.

"Much difference there was betwixt the Londoners and the Westerlings," since each party strove to engross all the profits to be derived from America; while the interests of the nation were sustained by others, who desired that no monopoly should be conceded to either company.

The remonstrances of the Virginia corporation, and a transient regard for the rights of the country, could delay, but not defeat, a measure that was sustained by the personal favorites of the monarch. After two years' entreaty, the

ambitious adventurers gained every thing which they <sup>1620.</sup> had solicited; and in November, 1620, King James <sup>Nov. 3.</sup> issued to forty of his subjects, some of them members of his household and his government, the most wealthy and powerful of the English nobility, a patent, which in American annals, and even in the history of the world, has but one parallel. The adventurers and their successors were incorporated as "The Council established at Plymouth, in the county of Devon, for the planting, ruling, ordering, and governing New England, in America." The territory, which was conferred on the patentees in absolute property, with unlimited jurisdiction, the sole powers of legislation, the appointment of all officers and all forms of government, extended in breadth from the fortieth to the forty-eighth degree of north latitude, and in length from the Atlantic to the Pacific. That is to say, nearly all the inhabited British possessions to the north of the United States, all New Eng-

land, New York, half of New Jersey, very nearly all Pennsylvania, and the whole of the country to the west of these states, comprising, and at the time believed to comprise, much more than a million of square miles, and capable of sustaining far more than two hundred millions of inhabitants, were, by a stroke of the pen of King James, given away to a corporation within the realm, composed of but forty individuals. The grant was absolute and exclusive: it conceded the land and islands, the rivers and the harbors, the mines and the fisheries. Without the leave of the council of Plymouth, not a ship might sail into a harbor from Newfoundland to the latitude of Philadelphia; not a skin might be purchased in the interior; not a fish might be caught on the coast; not an emigrant might tread the soil. Those who should become inhabitants of the colony were to be ruled without their own consent, by the corporation in England. A royal proclamation was soon issued, enforcing these provisions; and a revenue was considered certain from an onerous duty on all tonnage employed in the American fisheries.

The results which grew out of the concession of this charter form a new proof, if any were wanting, of that mysterious connection of events by which Providence leads to ends that human councils had not conceived. The patent left the emigrants at the mercy of the unrestrained power of the corporation; and it was under grants from that plenary power, confirmed, indeed, by the English monarch, that institutions the most favorable to colonial liberty were established. The patent yielded every thing to the avarice of the corporation; the very extent of the concession rendered it of little value to them. The English nation, incensed at the erection of vast monopolies by the royal prerogative, prompted the house of commons to question the validity of the gift; and the French, whose traders had been annually sending home rich freights of furs, derided the tardy action of the British monarch in bestowing lands and privileges, which their own sovereign, seventeen years before, had appropriated. The patent was designed to hasten plantations, in the belief that men would

eagerly throng to the coast, under the protection of the council; and, in fact, adventurers were delayed, through fear of infringing the rights of a powerful company. While the

English monopolists were wrangling about their exclusive possessions, the first permanent colony on the soil of New England was established without the knowledge of the corporation, and without the aid of King James.

In Germany, the Reformation sprung not from the superior authority of the sovereign, but from a peasant-born man of the people, and aimed at a regeneration both in morals and doctrine. When Martin Luther proclaimed that justification is by faith alone, superstition was at one blow cut up by the roots. The supernatural charm which hung over the orders whose members or whose chief had, time out of mind, usurped the exclusive right to absolve from sin and to interpose themselves between man and God, was dissolved. Every man became his own priest, and was directly in the hands of the Almighty, with no other mediator than the Eternal Wisdom, with no absolution for evil deeds but by repentance and a new life. There could be no higher expression of the liberty of the individual over against his fellow-men. The claim of right to the freedom of private judgment is a feeble and partial statement in comparison; for it declares the individual man under God alone, not the keeper of his judgment only, but independent of pope, bishop, priest, and all others of his kind, the keeper of his reason, affections, conscience, and character; in a word, of his whole being, now and hereafter. Therefore it is that, in an age when political questions were enounced in theological forms, justification by faith alone was the inscription on the gate through which the more advanced of the human race were to pass to freedom.

The Reformation in England — an event which had been long and gradually prepared among its people by the widely accepted teachings of Wycliffe; among its scholars, by the revival of letters, the presence, the personal influence, and the writings of Erasmus, and the liberal discourses of preachers trained in the new learning; among the courtiers, by the frequent resistance of English kings to the usurpations of

ecclesiastical jurisdiction — was abruptly introduced by a passionate and overbearing monarch, acting in conjunction with his parliament to withdraw the authority of the crown of England from all subjection to an alien pontiff.

In the history of the English constitution, this measure of definitive resistance to the pope was memorable as the beginning of the real greatness of the house of commons; and when Clement VII. excommunicated the king, and Paul III. invited Catholic Europe to reduce all his subjects who supported him to poverty and bondage, it was in the commons that he found countervailing support. But there was no thought of a radical reform in morals; nor did any one mighty creative mind, like that of Luther or Calvin, infuse into the people a new spiritual life. So far was the freedom of private inquiry from being recognised as a right, that even the means of forming a judgment on religious subjects was denied. The act of supremacy, which severed the English nation from the Roman church, 1534. Nov. 4. was but “the manumitting and enfranchising of the regal dignity from the recognition of a foreign superior.” It did not aim at enfranchising the English church, far less the English people or the English mind. The king of England became the pope in his own dominions; and heresy was still accounted the foulest of crimes. The right of correcting errors of religious faith became, by the suffrage of parliament, a branch of the royal prerogative; and, as active minds among the people were continually proposing new schemes of doctrine, a statute, alike arrogant in its pretensions and atrocious in its menaces, was, after great opposition in parliament, enacted “for abolishing diversity of opinions.” Almost all the Roman Catholic doctrines were asserted, except the supremacy of the bishop of Rome. The pope could praise Henry VIII. 1539. for orthodoxy, while he excommunicated him for disobedience. He commended to the wavering emperor the English sovereign as a model for soundness of belief, and anathematized him only for contumacy. It was Henry’s pride to defy the authority of the Roman bishop, and yet to enforce the doctrines of the Roman church. He was as tenacious of

his reputation for Catholic orthodoxy as of his claim to spiritual dominion. He despised submission, and he detested heresy.

Nor was Henry VIII. slow to sustain his new prerogatives. According to ancient usage, no sentence of death, awarded by the ecclesiastical courts, could be carried into effect until a writ had been obtained from the king. The regulation had been adopted in a spirit of mercy, securing to the temporal authorities the power of restraining persecution. The heretic might appeal from the atrocity of the priest to the mercy of the prince. But what hope remained, when the two authorities were united ; and the law, which had been enacted as a protection of the subject, became the instrument of tyranny ! No virtue, no eminence, conferred security. Not the forms of worship merely, but the minds of men, were declared subordinate to the government ; faith, not less than ceremony, was to vary with the acts of parliament. Death was denounced against the Catholic who denied the king's supremacy, and the Protestant who doubted his creed. Had Luther been an Englishman, he might have perished by fire. In the latter part of his life, Henry revoked the general permission of reading the Scriptures, and limited the privilege to merchants and nobles. He always adhered to his old religion, and died in the Roman rather than in the Protestant faith. The environs of the court displayed no resistance to the capricious monarch ; a subservient parliament yielded him absolute authority in religion ; but the awakened intelligence of a great nation could not be terrified into a passive lethargy ; and, even though it sometimes faltered in its progress along untried paths, steadily demanded the emancipation of the public mind.

The people were still accustomed to the Catholic forms of worship and of belief, when, in January, 1547, the accession of the boy Edward VI., England's only Puritan king, opened the way to changes within its church. The reform had made great advances among the French and among the Swiss. Both Luther and Calvin brought the individual into immediate relation with God ;

but Calvin, under a more stern and militant form of doctrine, lifted the individual above pope and prelate, and priest and presbyter, above Catholic Church and national church and general synod, above indulgences, remissions, and absolutions from fellow-mortals, and brought him into the immediate dependence on God, whose eternal, irreversible choice is made by himself alone, not arbitrarily, but according to his own highest wisdom and justice. Luther spared the altar, and hesitated to deny totally the real presence ; Calvin, with superior dialectics, accepted as a commemoration and a seal the rite which the Catholics revered as a sacrifice. Luther favored magnificence in public worship, as an aid to devotion ; Calvin, the guide of republics, avoided in their churches all appeals to the senses, as a peril to pure religion. Luther condemned the Roman Church for its immorality ; Calvin, for its idolatry. Luther exposed the folly of superstition, ridiculed the hair shirt and the scourge, the purchased indulgence, and dearly bought, worthless masses for the dead ; Calvin shrunk from their criminality with impatient horror. Luther permitted the cross and the taper, pictures and images, as things of indifference ; Calvin demanded a spiritual worship in its utmost purity. Luther left the organization of the church to princes and governments ; Calvin reformed doctrine, ritual, and practice ; and, by establishing ruling elders in each church and an elective synod, he secured to his polity a representative character, which combined authority with popular rights. Both Luther and Calvin insisted that, for each one, there is and can be no other priest than himself ; and, as a consequence, both agreed in the parity of the clergy. Both were of one mind, that, should pious laymen choose one of their number to be their minister, "the man so chosen would be as truly a priest as if all the bishops in the world had consecrated him."

In the regency which was established during the 1547. minority of Edward, the reforming party had the majority. Calvin made an appeal to Somerset, the protector ; and, burning with zeal to include the whole people of England in a perfect unity with the reformers of the continent,

he urged Cranmer to call together pious and rational men, educated in the school of God, to meet and agree upon one uniform confession of Christian doctrine, according to the rule of Scripture. "As for me," he said, "if I can be made use of, I will sail through ten seas to bring this about."

In the first year of the new reign, Peter Martyr and another from the continent were summoned to Oxford. The Book of Homilies, which held forth the doctrine of justification by faith, prepared by Cranmer in the year 1547, laid the foundation for further reform ; and in the next appeared Cranmer's first Book of the Common Prayer, in which, however, there lurked many superstitions. Bucer, who, in 1549, was called to Cambridge, complained of the backwardness of "the reformation." "Do not abate your speed, because you approach the goal," wrote Calvin to Cranmer. "By too much delay, the harvest-time will pass by, and the cold of a perpetual winter set in. The more age weighs on you, the more swiftly ought you to press on, lest your conscience reproach you for your tardiness, should you go from the world while things still lie in confusion." The tendency of the governing mind appeared from the appointment, in 1551, of John Knox as a royal chaplain. Cranmer especially desired to come to an agreement with the reformed church on the eucharist ; and, on that subject, his liturgy of 1552 adopted the teaching of Calvin ; the priest became a minister, the altar a table, the bread and wine a commemoration. Exorcism in the rite of baptism, auricular confession, the use of consecrated oil, prayers for the dead, were abolished. "The Anglican liturgy," wrote Calvin of this revised Book of Common Prayer, "wants the purity which was to have been wished for, yet its fooleries can be borne with."

The forty-two articles of religion digested by Cranmer, and promulgated by royal authority, set forth the creed of the evangelical church as that of all England. In the growing abhorrence of superstition, the inquisitive mind, especially in the cities, asked for greater simplicity in the vestments of ministers and in the forms of devotion. Not a rite remained of which the fitness had not

been questioned. The authority of all traditions, of papal bulls and briefs, encyclicals and epistles, and of decrees of councils, was done away with; and the austere principle announced that neither symbol, nor vestment, nor ceremony, nor bowing at a name, nor kneeling at an emblem, should be borne with, unless it was set forth in the word of God. A more complete reform was demanded; and the friends of the established liturgy expressed in the prayer-book itself a wish for its furtherance. The churchmen desired to differ from the ancient forms as little as possible, and readily adopted the use of things indifferent; the Puritans could not sever themselves too widely from the Roman usages.

Of the insurrections in the reign of Edward, all but one sprung from the oppression of the landlords. England accepted the reformation; though the want of good preachers impeded the training of the people in its principles. There was no agreement among the bishops on doctrine or discipline. Many parishes were the property of the nobles; many ecclesiastics, some even of those who affected to be evangelical, were pluralists, and left their numerous parishes to the care of those who would serve at the lowest price, even though sometimes they could not read English. Lay proprietors, who had taken the lands of the monasteries, saved themselves from paying pensions to dispossessed monks by setting them, however ignorant or unfit, over many parishes. In some a sermon had not been preached for years.

In this state of public worship throughout the land, Mary came to the throne; and, by her zeal to restore the old religion, she became the chief instrument in establishing the new. The people are swayed more by their emotions than by processes of dialectics; and, where two parties appear before them, the majority is most readily roused for that one which appeals to the heart. Mary offended English nationality by taking the king of Spain for her husband; and, while the statesmen of Edward's time had not been able to reach the country by preachers, she startled the dwellers in every parish in England by the fires which

1553  
July 6.

she lighted at Gloucester and Oxford and Smithfield, where prelates and ministers, and men and women of the most exemplary lives, were witness among the blazing fagots to the truth of the reformed religion, by displaying the highest qualities that give dignity to human nature. Rogers and Hooper, the first martyrs of Protestant England, were Puritans. And it was observed that Puritans never sought by concessions to escape the flames. For them, compromise was itself apostasy. The offer of pardon could not induce Hooper to waver, nor the pains of a lingering death impair his fortitude. He suffered by a very slow fire, and died as quietly as a child in his bed.

A large part of the English clergy went back to their submission to the see of Rome; while others adhered to the Reformation from conviction, many of whom had, in their wives and children, given hostages for fidelity. Among the multitudes who hurried into foreign lands, one party aimed at renewing abroad the forms of discipline which had been sanctioned in the reign of Edward; the Puritans endeavored to sweeten their exile by completely emancipating themselves from all offensive ceremonies. The sojourning in Frankfort was at first embittered by angry divisions; but time softened the asperities of controversy; and a reconciliation was prepared by concessions to the Puritans. For the abode on the continent was well adapted to strengthen the influence of the stricter sect. While the companions of their flight had, with the most bitter intolerance, been rejected by Denmark and Northern Germany, the English received in Switzerland the kindest welcome; their love for the rigorous austerity of a spiritual worship was confirmed; and some of them enjoyed in Geneva the instructions and the friendship of Calvin.

<sup>1558.</sup> <sub>Nov. 17.</sub> On the death of Mary, the Puritan exiles returned to England, with still stronger antipathies to the forms of worship and the vestures, which they now repelled as associated with the cruelties of Roman intolerance at home, and which were disused in the churches of Switzerland. The pledges which had been given at Frankfort and Geneva, to promote further reforms, were redeemed. But

the controversy was modified by the personal character of the English sovereign.

The younger daughter of Henry VIII. had at her father's court, until her fourteenth year, conformed like him to the rites of the Roman church. Less than twelve years had passed since his death. For two or three of those years, she had made use of Cranmer's first Book of Common Prayer; but hardly knew the second, which was introduced only a few weeks before her brother's death. No one ever ascribed to her any inward experience of the influences of religion. During the reign of her sister Mary, she had conformed to the Catholic Church without a scruple. At the age of twenty-four restored to freedom by accession to the throne, her first words were that she would "do as her father did;" and, like her father, she never called herself a Protestant, but a Catholic except in subordination to the pope. She respected the symbols of the "Catholic faith," and loved magnificence in worship. She publicly thanked one of her chaplains, who had asserted the real presence. She vehemently desired to retain in her private chapel images, the crucifix, and tapers; she was inclined to offer prayers to the Virgin; she favored the invocation of saints. She so far required the celibacy of the clergy that, during her reign, their marriages took place only by connivance.

Neither the influence of early education nor the love of authority would permit Elizabeth to cherish and imitate the reformed churches of the continent, which had risen in defiance of all ordinary powers of the world, and which could justify their existence only on a strong claim to natural liberty.

On this young woman devolved the choice of the Book of Common Prayer, as it seemed, for the two or three millions who then formed the people of England; but, in truth, for very many in countries collectively more than twice as large as all Europe. Her choice was for the first service-book of her brother: yielding to the immense weight of a Puritan opposition, which was as yet unbalanced by an episcopal section in the church, she consented to that of 1553, but the prayer against the tyranny of the bishop of Rome was left

out; the sign of the cross in baptism was restored; the minister was sometimes denominated the priest; the table was sometimes called the altar; and the rubric, which scouted the belief in the objective real presence of Christ in the eucharist as gross idolatry, was discarded. English historians have excused these concessions in the liturgy, as making it light for Roman Catholics to stay in the Anglican church; but they were better suited "to introduce and countenance such opinions and ceremonies as are fittest for accommodation with popery, to increase and maintain ignorance among the people," and to lead to a conspiracy between the crown and the mitre for throwing down the liberties of England from their foundation. From the moment of the accession of Elizabeth, the pope rendered all the proffered allurements nugatory, by denying her right to the English throne, and summoning her to submit her pretensions to his decision. And yet Elizabeth obstinately held that the Puritans were more perilous than the Romanists, in whom she saw friends to monarchy, if not to the person of the monarch. She long desired to establish the national religion mid-way between sectarian licentiousness and Roman supremacy; and, after her policy in religion was once declared, the pride of authority would brook no opposition.

When rigorous orders for enforcing conformity were first issued, the Puritans were rather excited to defiance than intimidated. Of the London ministers, about thirty refused subscription, and men began to speak openly of a secession from the church; "not for hatred to the estates of the church of England, but for love to a better." At length, a separate congregation was formed; immediately the government was alarmed; and the leading men of the congregation, and several women, were sent to Bridewell for a year.

While the personal influence of the queen crushed every movement of the house of commons towards satisfying the scruples of the Puritans by reforms in the service-book, it chanced otherwise with her aversion to the abstract articles of religion. In January, 1652, the convocation of the Anglican clergy, in whom the spirit of the Reformation then pre-

vailed, having compressed the forty-two articles of Cranmer and Edward VI. into thirty-eight, adopted and subscribed them; and, except for the opposition of the queen and her council, they would have been confirmed by parliament. When, four years later, a Puritan house of commons voted to impose them on the clergy, Elizabeth, at the instance of the English Catholics, and after a long consultation with the ambassador of Spain, used her influence to suppress a debate on the bill in the house of lords. But, in the year after there had been nailed to the door of the bishop of London the bull in which the pope, Pius V., denied her right to the English throne and excommunicated every English Catholic who should remain loyal to her, at a time when he was trying to get her put out of the way by assassins, 1571. though she still quelled every movement toward changes in the liturgy, she dared not refuse assent to an act which required subscription to the so called thirty-nine articles, as an indispensable condition for the tenure of a benefice in the church of England. From that time forward, while conformity to the common prayer was alone required of the laity, every clergyman of the church of England wrote himself a believer "that justification is by faith, that Holy Scripture containeth all things necessary to salvation, and that transubstantiation is repugnant to the plain words of Scripture, overthroweth the nature of a sacrament, and hath given occasion to many superstitions." In this manner, Calvinism was intrenched in the citadel of the Anglican church. "By the adoption of the thirty-nine articles," say English Catholics, "the seal was set to the Reformation in England; a new church was built on the ruins of the old."

Within the church of England, there necessarily developed itself an irreconcilable division. The power of the bishop, which was for some years looked upon as only administrative, began to be considered as intermediary; and the attempt was made to reconcile the regenerating power of an ordained prelacy to faith in the direct dealing of God with each individual soul. The one party claimed for the bishops an unbroken sacred succession from apostolic times, and

therefore, separating itself from Protestantism, could recognise no equal except the orthodox Greek church and that of Rome: the other scoffed at the pretended divine right of bishops, the transmission of highest wisdom by the touch of a man's hand, and sought a perfect unity with the reformers of the continent. Both parties avoided separation or schism; both strove for mastery in the church of the whole nation; and each of the two, fast anchored within that church, engaged in a contest for the exclusive direction of the public worship.

But, besides these parties contending for lordship over the religion of the whole land, there rose up a class of independent men, who carried opposition to the church of England to the extreme, refused communion with a body of which they condemned the ceremonies and the government, and desired nothing but liberty to separate from it and institute social worship according to their own consciences. Henry VIII. had enfranchised the English crown; Elizabeth had enfranchised the Anglican church: the Puritans claimed equality for the popular clergy; the Independents asserted the liberty of each individual mind to discover "truth in the word of God." The Reformation had begun in England with the monarch; had extended among the nobility; had been developed under the guidance of a hierarchy; and had but slowly penetrated the masses. The party of the Independents was plebeian in its origin, and carried the principle of intellectual enfranchisement from authority into the houses of the common people. Its adherents were "neither gentry nor beggars." They desired freedom to worship God in congregations of their own.

The demand excited alarm in the hierarchy. It had long been held too dangerous for a Christian prince to grant a liberty that one of his subjects should use a religion against the conscience of the prince; and Bacon said: "The permission of the exercise of more religions than one is a dangerous indulgence." It was determined at once to crush this principle of voluntary union by every terror of the law. Among the clergymen who inclined to it were Copping, Thacker, and Robert Browne. By Freke as bishop

of Norwich, the two former were cast into the common jail of Bury St. Edmunds. From the prison of Norwich, Browne was released, through the influence of his kinsman, the lord treasurer, Burleigh. He escaped to the Netherlands, gathered a church at Middleburg from among English exiles, and printed three tracts in exposition 1582 of his belief. In substance, his writings contain two seminal ideas: first, if the prince, or magistrate under the prince, do refuse or defer to reform the church, the people may without their consent sever themselves from the national church, and for themselves individually undertake a reformation without tarrying for any; and, secondly, a church may be gathered by a number of believers coming together under a willing covenant made among themselves, without civil authority.

Both these propositions Luther had approved, as in themselves thoroughly right. But the English prelacy pursued the avowal of them with merciless severity. Coping and Thacker, accused of assisting to spread the book of Robert Browne, were transferred to the secular power, and, under the interpretation of the law by the lord chief justice of England, were hanged for the felony of sedition. Browne, by submitting himself to the established order and government in the church, obtained a benefice which he enjoyed till he became fourscore years of age. The principles, of which the adoption had alone given him distinction, lay deeply rooted in the religious thought of the country, and did not suffer from his apostasy.

From this time, there was a division among the Puritans. The very great majority of them continued their connection with the national church, which they hoped one day to model according to their own convictions; the minority separated from it, as radically infected with Roman superstitions, and false to the simplicity of true Christianity; and, with logical consistency, they would have no national church, but looked for the life of religion in the liberty of the conscience of the individual. The feud became bitter in England, and led to great political results; but it could not be renewed beyond the Atlantic.

The party of the outright separatists having been pursued till they seemed to be wholly rooted out, the queen pressed on to the graver conflict with the Puritan churchmen. "In truth, Elizabeth and James were personally the great support of the high church interest; it had few real friends among her counsellors." In vain did the best statesmen favor moderation: the queen was impatient of non-conformity, as the nursery of disobedience and rebellion. At a time when the readiest mode of reaching the minds of the common people was through the pulpit, and when the preachers would often speak with plainness and homely energy on all the events of the day, the claim of the Puritans to the "liberty of prophesying" was similar to the modern demand of the liberty of the press; and threatened not only to disturb the uniformity of the national worship, but to impair the royal authority.

The learned Grindal, who during the reign of Mary had lived in exile, had, after her death, hesitated about accepting a mitre from dislike to what he regarded as the mummery of consecration, and early in 1576 had been advanced to the see of Canterbury. At the head of the English clergy, he gave an example of reluctance to prosecute. But he, whom Bacon calls "one of the greatest and rarest prelates of his time," brought down upon himself the petulance of Elizabeth by his refusal to suppress the liberty of prophesying; was suspended; and, when blind and broken-hearted, was ordered to resign. Nothing but his death, in 1583, saved him from being superseded by Whitgift.

The accession of Whitgift marks the epoch of extreme and consistent rigor in the public councils; for the new archbishop was sincerely attached to the English church, and, from a regard to religion, enforced the conformity which the queen desired as the support of her power. He was a strict disciplinarian, and wished to govern the clergy of the realm as he would rule the members of a college. Subscriptions were now required to points which before had been eluded; the kingdom rung with the complaints for deprivation; the most learned and diligent of the ministry were driven from their places; and those who were introduced to read the liturgy were so igno-

rant that few of them could preach. Did men listen to their deprived pastors in the recesses of forests or in tabernacles, the offence, if discovered, was visited by fines and imprisonment.

The first statute of Queen Elizabeth enacting her supremacy gave her authority to erect a commission for causes ecclesiastical. On the first of July, 1584, a new <sup>1584</sup> July 1 form was given to this court. Forty-four commissioners, twelve of whom were bishops, had roving powers, as arbitrary as those of the Spanish inquisitors, to search after heretical opinions, seditious books, absences from divine worship established by law, errors, heresies, and schisms. The primary model of the court was the inquisition itself, its English germ a commission granted by Mary to certain bishops and others to inquire after all heresies. All suspected persons might be called before them; and men were obliged to answer, on oath, every question proposed, either against others or against themselves. In vain did the sufferers murmur; in vain did parliament disapprove the commission, which was alike illegal and arbitrary; in vain did Burleigh remonstrate against a system so intolerant that "the inquisitors of Spain used not so many questions to trap their preys." The archbishop would have deemed forbearance a weakness; and the queen was ready to interpret any freedom in religion as the treasonable denial of her supremacy or the felony of sedition.

The institution of this ecclesiastical court stands out in high relief as one of the great crimes against civilization, and admits of no extenuation or apology except by recrimination. It has its like in the bull of Leo X. against Luther; in the advice of Calvin to the English reformers; in the blind zeal of the Puritans of that day, who, like Cartwright, taught that "heretykes oughte to be put to deathe nowe, that upon repentance ther oughte not to followe any pardoun of deathe; that the magistrates which punish murther and are lose in punishing the breaches of the first table, begynne at the wronge end;" and, finally, in the act of the Presbyterian Long Parliament inflicting the punishment of death upon various religious opinions. Luther alone has

the glory of “ forbidding to fight for the gospel with violence and death.”

The party thus persecuted were the most efficient opponents of popery. “ The Puritans,” said Burleigh, “ are over-squeamish and nice, yet their careful catechising and diligent preaching lessen and diminish the papistical numbers.” But for the Puritans, the old religion would have retained the affections of the multitude. If Elizabeth reformed the court, the ministers, whom she persecuted, reformed the commons. In Scotland, where they prevailed, they, by their system of schools, lifted the nation far above any other in Europe, excepting, perhaps, some cantons of Switzerland. That the English people became Protestant is due to the Puritans. How, then, could the party be subdued? The spirit of these brave and conscientious men could not be broken. The queen gave her orders to the archbishop of Canterbury, “ that no man should be suffered to decline, either on the left or on the right hand, from the drawn line limited by authority, and by her laws and injunctions.” The vehemence of persecution, which comprehended one third of all the ecclesiastics of England, roused the sufferers to struggle fiercely for self-protecting and avenging power in the state, and, through the state, in the national church.

Meantime, the party of the Independents, or Brownists as they were scornfully called, shading into that of the Puritans, were pursued into their hiding-places with relentless fury. Yet, in all their sorrows, they manifested the intensest love for their native country, and formed a part of that wonderful people which was then renewing its life with an unbounded energy that waked the highest genius at home, and in its influence reached to the farthest parts of the world and to all succeeding ages. The pious zeal of the popular reformers made them devoted to the queen, whom Rome and the Spaniards had forced, against her will, to become the leading prince of the Protestant world.

In November, 1592, “ this humble petition of her 1592. highness’ faithful subjects, falsely called Brownists,” was addressed to the privy council: “ Whereas, we,

her majesty's natural born subjects, true and loyal, now lying, many of us, in other countries, as men exiled her highness' dominions; and the rest, which remain within her grace's land, greatly distressed through imprisonment and other great troubles, sustained only for some matters of conscience, in which our most lamentable estate we cannot in that measure perform the duty of subjects as we desire: and, also, whereas means is now offered for our being in a foreign 1592. and far country which lieth to the west from hence, in the province of Canada, where by the providence of the Almighty, and her majesty's most gracious favor, we may not only worship God as we are in conscience persuaded by his Word, but also do unto her majesty and our country great good service, and in time also greatly annoy that bloody and persecuting Spaniard about the Bay of Mexico,— our most humble suit is that it may please your honors to be a means unto her excellent majesty, that with her most gracious favor and protection we may peaceably depart thither, and there remaining to be accounted her majesty's faithful and loving subjects, to whom we owe all duty and obedience in the Lord, promising hereby and taking God to record, who searcheth the hearts of all people, that, wheresoever we become, we will by the grace of God live and die faithful to her highness and this land of our nativity."

The prayer was unheeded. No one at court in that day would suffer Independents to plant a colony or live in peace in England. "As for those which we call Brownists," wrote Bacon, in 1592, "being, when they were at the most, a very small number of very silly and base people, here and there in corners dispersed, they are now, thanks to God, by the good remedies that have been used, suppressed and worn out; so that there is scarce any news of them."

Yet, in the very next year, it was said by Raleigh, in parliament, that there were in England twenty thousand of those who frequented conventicles. The teachers of new truths have often been exiled or slain. It was proposed to banish them, as the Moors had been banished 1593. from Spain. To root out the sect which was become the depository of the principles of reform, an act of parlia-

Act of 1593 ordered those who for a month should be absent from the English service to be interrogated as to their belief, and menaced obstinate non-conformists with exile or with death. For the moment, under the ruthless policy of Whitgift and the queen, John Greenwood and Henry Barrow, both educated in the university at Cambridge, the former a regularly ordained minister, the latter for some years a member of Gray's Inn, London, after an imprisonment of about seven years, were selected by Whitgift for execution. Burleigh interposed, and "gave the archbishop sound taxing words, and he used some speech with the queen, but was not seconded by any." Under the gallows at Tyburn, with the ropes about their necks, they prayed for England and England's queen; and so, on an April morning, were hanged for dissent.

John Penry, a Welshman, who had taken his first degree at Cambridge and had become master of arts at Oxford, a man of faultless life, a preacher of the gospel to the Welsh, was likewise convicted at Westminster Hall of the same seditiousness. "In the earnest desire I had to see the gospel in my native country," so he wrote to Lord Burleigh, "I might well, as I confess in my published writings, forget my own danger; but my loyalty to my prince did I never forget. And, being now to end my days before I am come to the one half of my years in the likely course of nature, I leave unto such of my countrymen as the Lord is to raise after me the accomplishing of that work which, in the calling of my country unto the knowledge of Christ's blessed gospel, I began." His protestation after sentence was referred to the judges, who reported him guilty of separation from the church of England, and of "the justification of Barrow and Greenwood as holy martyrs." Archbishop

Whitgift was the first to affix his name to the death warrant; and on the seventh of June, 1593, just as the sun was going down towards the west, one of the purest men of England, exemplarily faithful to his country and to its prince, suffered martyrdom on the gallows.

"Take my poor desolate widow and my mess of fatherless and friendless orphans with you into exile; you shall yet find days of peace and rest, if you continue faithful."

was one of the last messages of Penry to a company of believers in London whom banishment, with the loss of goods, was likely to betide. Francis Johnson, being arraigned, pleaded that "the great charter of England granteth that the church of Christ shall be free, and have all her liberties inviolable ;" but, after a close imprisonment in jail for more than a year, he was sentenced to abjure the realm. He it was who gathered the exiled Southwark church in Amsterdam, where it continued as an example for a century.

Our narrative leads us next to the manor-house of Scrooby in Nottinghamshire, where William Brewster, who had been educated at Cambridge, had been employed in public affairs by an English secretary of state, had taken an effective part in an embassy to the Netherlands, and had seen near at hand the duplicity and hard-heartedness of Queen Elizabeth, resided, first as assistant, then as successor to his father in a small office, under the queen. He was in good esteem amongst the gentlemen of those parts, especially the godly and religious. He furthered religion by the procuring of good preachers to all places therabouts, charging himself most commonly deepest, and sometimes above his means. By the tyranny of the bishops against godly preachers and people, in silencing the one and persecuting the other, he and many more of those times began to look further into particulars, and to see into the unlawfulness of their callings, and the burden of many anti-Christian corruptions, which both he and they endeavored to cast off.

The age of the queen, and the chances of favor to Puritanism from her successor, conspired to check persecution. The Independents had, it is true, been nearly exterminated ; but the number of the non-conforming clergy, after forty years of molestation, had increased, their strength was more deeply rooted in the nation, and their enmity to the established order was irreconcilable. Their followers constituted a powerful political party ; inquired into the nature of government, in parliament opposed monopolies, limited the royal prerogative, and demanded a reform of ecclesiastical

abuses. Popular liberty, which used to animate its friends by appeals to the examples of ancient republics, now listened to a voice from the grave of Wycliffe, from the vigils of Calvin. Victorious over her foreign enemies, Elizabeth never could crush the religious party, of which she held the increase dangerous to the state. In the latter years of her reign, her popularity declined; and her death was little regretted. "In four days she was forgotten."

The accession of King James would, it was hoped, <sup>1603.</sup> introduce a milder system. He had called the church <sup>April 3.</sup> of Scotland "the sincerest kirk of the world;" he had censured the service of England as "an evil said mass." Would he retain for Puritans the favor which he had promised?

The pupil of Buchanan was not destitute of learning nor unskilled in rhetoric. He had aimed at the reputation of a "most learned clerk," and so successfully that Bacon pronounced him incomparable for learning among kings; and Sully, who knew him well, esteemed him the wisest fool in Europe. At the mature age of thirty-six, the imbecile man escaped from the austere supervision of his morals in Scotland to freedom of self-indulgence in the English court, which he disgraced by the frivolity of his amusements and the unblushing shamelessness of manners which he allowed. He was not destitute of shrewdness; but, afflicted from his birth with an ungainly frame and an overpowering timorousness of nature, his will, like his passions, was feeble, so that he could never carry out a wise resolution; and, in his love of ease, he had no fixed principles of conduct or belief. He could be governed by being overawed, and was easily intimidated by the vulgar insolence of a favorite. Moreover, this cowardice, which was the core of his character, led him to be false; and he could vindicate deception and cunning as worthy of a king. But he was an awkward liar, rather than a crafty dissembler. He could, before parliament, call God to witness his sincerity, when he was already resolved on being insincere.

To a person of such weakness, perpetual flattery was needed to preserve his self-complacency. No hyperboles of

praise could startle his egregious vain-glory. Explaining “why the devil doth work more with auncient women than with others,” witchcraft, of the nature of which Bacon declares that he had “observed excellently well,” was at his solicitation, in a parliament of which Bacon and Coke were members, made a capital offence; and hardly a year of his reign went by but some helpless crone perished on the gallows in homage to his dialectics. Challenging the praise of Europe as a subtle controversialist, he wrote a tract to refute the heresies of a professor at Leyden, whom he recommended to be burnt; and he would hardly be pacified by his dismissal from his professorship. Once, in his own country, James indulged his vanity in a theological discussion; and, when the argument was over, procured himself the double gratification of consigning his opponent to the stake, and spiting Coke who held the execution to be illegal. His mind had been early imbued with the doctrines of Calvinism; but he loved arbitrary power better than the tenets of Knox.

Such was the king of England, at a period when the limits of royal authority were not as yet clearly defined. He came to a country where the institution of a parliament was in existence; and he desired “to get rid of it,” being convinced that its privileges were not an ancient, undoubted right and inheritance, but were derived solely from the grace and favor of his predecessors and himself. His experience in Scotland had persuaded him that Presbyterian government in the church would, in a monarchy, bring forth perpetual rebellions; and while he denied the divine institution of bishops, and cared not for the profit the church might reap from them, he believed they would prove useful instruments to turn a monarchy with a parliament into absolute dominion.

The English hierarchy had feared, in the new monarch, the approach of a “Scottish mist;” but the borders of Scotland were hardly passed before James began to identify the interests of the English church with those of his prerogative. “No bishop, no king,” was a maxim often in his mouth. Whitgift was aware that the Puritans were too

numerous to be borne down ; "I have not been greatly quiet in mind," said the disappointed archbishop, "the vipers are so many." But James was not as yet conscious of their strength. While he was in his progress to London, more than seven hundred of them presented the "millenary petition" for a redress of ecclesiastical grievances. He was never disposed to show them favor ; but a decent respect for the party in which he had been bred, joined to a desire of displaying his talents for theological debate, induced him to appoint a conference at Hampton court.

1604. The conference, held in January, 1604, was distinguished on the part of the king by a strenuous vindication of the church of England. Refusing to discuss the question of its power in things indifferent, he substituted authority for argument, and, where he could not produce conviction, demanded obedience : "I will have none of that liberty as to ceremonies ; I will have one doctrine, one discipline, one religion in substance and in ceremony. Never speak more to that point, how far you are bound to obey."

The Puritans desired permission occasionally to assemble, and at their meetings to have the liberty of free discussions ; but the king interrupted their petition. "You are aiming at a Scot's presbytery, which agrees with monarchy as well as God and the devil. Then Jack and Tom and Will and Dick shall meet, and at their pleasure censure me and my council, and all our proceedings. Then Will shall stand up and say, It must be thus : then Dick shall reply and say, Nay, marry, but we will have it thus ; and, therefore, here I must once more reiterate my former speech, and say, The king forbids." Turning to the bishops, he avowed his belief that the hierarchy was the firmest supporter of the throne. Of the Puritans, he added : "I will make them conform, or I will harry them out of the land, or else worse," "only hang them ; that's all."

On the last day of the conference, the king defended the necessity of subscription, concluding that, "if any would not be quiet and show their obedience, they were worthy to be hanged." He advocated the high commission and inquisitorial oaths, despotic authority and its instruments. A few

alterations in the Book of Common Prayer were the only reforms which the conference effected. It was agreed that a time should be set, within which all should conform, or be removed. Latimer and Ridley and Hooper, and Cranmer if he had remained true to his latest convictions, the men whose martyrdom lighted the candle for the reform of England, had they come again, must have been driven out of the church of which King James was the head. The king had self-complacently insulted the Puritans with vulgar rudeness and indecorous jests, and had talked much Latin ; had spoken a part of the time in the presence of the nobility of Scotland and England, willing admirers of his skill in debate and of his marvellous learning ; and he was elated by the eulogies of the churchmen. "Your majesty speaks by the special assistance of God's spirit," said the aged Whitgift. Bishop Bancroft, on his knees, exclaimed that his heart melted for joy, "because God had given England such a king as, since Christ's time, has not been ;" and, in a foolish letter, James boasted that "he had soundly peppered off the Puritans."

Whitgift, the archbishop, a man of great consistency of character, estimable for his learning, respected and beloved by his party, desired not to live till the next parliament should assemble, for the Puritans would have the majority ; and grief, it was thought, hastened his death, six weeks after the close of the conference.

In the parliament which assembled in 1604, the party opposed to the church asserted their liberties with such tenacity and vigor that King James began to hate them, as embittering royalty itself. - "I had rather live like a hermit in the forest," he writes, "than be a king over such a people as the pack of Puritans are that overrule the lower house." "The will of man or angel cannot devise a pleasing answer to their propositions, except I should pull the crown not only from my own head, but also from the head of all those that shall succeed unto me, and lay it down at their feet." At the opening of the session, he had offered "to meet the Catholics in the midway ;" while he added that "the sect of Faritans is insufferable in any well-governed commonwealth." At the next session of parliament, he de-

clared the Roman Catholics to be faithful subjects, but expressed detestation of the Puritans, as worthy of fire for their opinions. Against the latter he inveighed bitterly in council, saying "that the revolt in the Low Countries began for matters of religion, and so did all the troubles in Scotland ; that his mother and he, from their cradles, had been haunted with a Puritan devil, which he feared would not leave him to his grave ; and that he would hazard his crown but he would suppress those malicious spirits."

The convocation of the clergy were very ready to decree against obstinate Puritans excommunication and all its consequences. Bancroft, the successor of Whitgift, required conformity with unrelenting rigor ; King James issued a proclamation of equal severity ; and it is asserted, perhaps with exaggeration, yet by those who had opportunities of

judging rightly, that in the year 1604 alone three  
1605. hundred Puritan ministers were silenced, imprisoned,

or exiled. The moderate men, who assented to external ceremonies as to things indifferent, were unwilling to enforce them by merciless cruelty ; the oppressed were neither intimidated nor weakened ; and resisted not the mere surplice, but the symbol of a priest, ordained by a bishop, imposed upon a church, and teaching by authority in opposition to the right of the individual to found belief on conviction, and the implied right of the congregation to elect its own teachers. Yet the clergy proceeded with a consistent disregard of the national liberties. The importation of foreign books was impeded ; and a severe censorship of the press was exercised by the bishops.

Frivolous acts were denounced as ecclesiastical of-  
1606. fences. The convocation of 1606, in a series of canons, denied every doctrine of popular rights, asserting the superiority of the king to the parliament and the laws, and admitting no exception to the duty of passive obedience. Thus the conspiracy between the Episcopal Church and the court, in favor of absolute monarchy, was consummated. The English separatists and non-conformists became the sole protectors of the system which gave to England its distinguishing glory. "The stern and exasper-

ated Puritans," writes Hallam, "were the depositaries of the sacred fire of liberty." "So absolute was the authority of the crown," says Hume, "that the precious spark of liberty had been kindled and was preserved by the Puritans alone; and it was to this sect that the English owe the whole freedom of their constitution." The lines of the contending parties were sharply drawn. Immediate success was obtained by the established authority; but the contest was to be transmitted to another continent and to the next generation. Would victory ultimately belong to the churchmen or to the Puritans, to the monarch or to the people? The interests of human freedom were at issue on the contest.

In the very year of this convocation, "a poor people" in the north of England, in towns and villages 1608. of Nottinghamshire, Lincolnshire, and the borders of Yorkshire, in and near Scrooby, had "become enlightened by the word of God. " Presently they were both scoffed and scorned by the profane multitude; and their ministers, urged with the yoke of subscription," were, by the increase of troubles, led "to see further," that not only "the beggarly ceremonies were monuments of idolatry," but also "that the lordly power of the prelates ought not to be submitted to." Many of them, therefore, "whose hearts the Lord had touched with heavenly zeal for his truth," resolved, "whatever it might cost them, to shake off the anti-Christian bondage, and, as the Lord's free people, to join themselves by a covenant into a church estate in the fellowship of the gospel." Of the same faith with Calvin, heedless of acts of parliament, they rejected "the offices and callings, the courts and canons" of bishops, and, renouncing all obedience to human authority in spiritual things, asserted for themselves an unlimited and never ending right to make advances in truth, and "walk in all the ways which God had made known or should make known to them."

"The gospel is every man's right; and it is not to be endured that any one should be kept therefrom. But the evangel is an open doctrine; it is bound to no place, and moves along freely under heaven, like the star, which ran in the sky to show the wizards from the east where Christ

was born. Do not dispute with the prince for place. Let the community choose their own pastor, and support him out of their own estates. If the prince will not suffer it, let the pastor flee into another land, and let those go with him who will, as Christ teaches." Such was the counsel of Luther, on reading "the twelve articles" of the insurgent peasants of Suabia. What Luther advised, what Calvin planned, was carried into effect by this rural community of Englishmen.

The reformed church chose for one of their ministers John Robinson, "a man not easily to be paralleled," "of a most learned, polished, and modest spirit." Their ruling elder was William Brewster, who "was their special stay and help." They were beset and watched night and day by the agents of prelacy. For about a year, they kept their meetings every sabbath, in one place or another; exercising the worship of God among themselves, notwithstanding all the diligence and malice of their adversaries. But, as the humane ever decline to enforce the laws dictated by bigotry, the office devolves on the fanatic or the savage. Hence the severity of their execution usually surpassed the intention of their authors; and the peaceful members of "the poor, persecuted flock of Christ," despairing of rest in England, resolved to go into exile.

Holland, in its controversy with Spain, had displayed republican virtues, and, in the reformation of its churches, had imitated the discipline of Calvin. In its greatest dangers, it had had England for its ally; at one time, it had almost become a part of the English dominions; the "cautionary" towns were still garrisoned by English regiments, some of which were friendly to the separatists; and we have seen that William Brewster had himself served as a diplomatist in the Low Countries. Thus the emigrants were attracted to Holland, "where, they heard, was freedom of religion for all men."

The departure from England was effected with 1607. much suffering and hazard. The first attempt, in 1607, was prevented; but the magistrates checked the ferocity of the subordinate officers; and, after a month's

arrest of the whole company, seven only of the principal men were detained a little longer in prison.

The next spring the design was renewed. As if it had been a crime to escape from persecution, an unfrequented heath in Lincolnshire, near the mouth of the Humber, was the place of secret meeting. Just as a boat was bearing a part of the emigrants to their ship, a company of horsemen appeared in pursuit, and seized on the helpless women and children who had not yet adventured on the surf. "Pitiful it was to see the heavy case of these poor women in distress; what weeping and crying on every side." But, when they were apprehended, it seemed impossible to punish and imprison wives and children for no other crime than that they would not part from their husbands and fathers. They could not be sent home, for "they had no homes to go to;" so that, at last, the magistrates were "glad to be rid of them on any terms," "though, in the mean time, they, poor souls, endured misery enough." Such was the flight of Robinson and Brewster, and their followers, from the land of their fathers.

Their arrival in Amsterdam, in 1608, was but the beginning of their wanderings. "They knew they were PILGRIMS, and looked not much on those things, but lifted up their eyes to heaven, their dearest country, and quieted their spirits." In 1609, removing to Leyden, "they saw poverty coming on them like an armed man;" but, being "careful to keep their word, and painful and diligent in their callings," they attained "a comfortable condition, grew in the gifts and grace of the spirit of God, and lived together in peace and love and holiness." "Never," said the magistrates of the city, "never did we have any suit or accusation against any of them;" and, but for fear of offence to King James, they would have met with public favor. "Many came there from different parts of England, so as they grew a great congregation." "Such was the humble zeal and fervent love of this people towards God and his ways, and their single-heartedness and sincere affection, one towards another," that they seemed to come surpassingly near "the primitive

pattern of the first churches." A clear and well-written apology of their discipline was published by Robinson, who also, in the controversy on free-will, as the champion of orthodoxy, "began to be terrible to the Arminians," and disputed in the university with such power, that, as his friends assert, "the truth had a famous victory."

The career of maritime discovery had, meantime, been pursued with intrepidity, and rewarded with success. The voyages of Gosnold, Weymouth, Smith, and Hudson; the enterprise of Raleigh, Delaware, and Gorges; the compilations of Eden, Willes, and Hakluyt,—had filled the commercial world with wonder; Calvinists of the French church had sought, though vainly, to plant themselves in Brazil, in Carolina, and, with De Monts, in Acadia; while weighty reasons, often and seriously discussed, inclined the pilgrims to change their abode. They had been bred to the pursuits of husbandry, and in Holland they were compelled to learn mechanical trades; Brewster became a teacher of English and a printer; Bradford, who had been educated as a farmer, learned the art of dyeing silk. The language of the Dutch never became pleasantly familiar, and their manners still less so. They lived but as men in exile. Many of their English friends would not come to them, or departed from them weeping. "Their continual labors, with other crosses and sorrows, left them in danger to scatter or sink." "Their children, sharing their parents' burdens, bowed under the weight, and were becoming decrepit in early youth." Conscious\* of ability to act a

higher part in the great drama of humanity, they  
1617. were moved by "a hope and inward zeal of advancing the gospel of the kingdom of Christ in the remote parts of the New World; yea, though they should be but as stepping-stones unto others for performing so great a work."

"Upon their talk of removing, sundry of the Dutch would have them go under them, and made them large offers;" but the pilgrims were attached to their nationality as Englishmen, and to the language of their line. A secret but deeply seated love of their country led them to

the generous purpose of recovering the protection of England by enlarging her dominions, and a consciousness of their worth cheered them on to make a settlement of their own. They were "restless" with the desire to live once more under the government of their native land.

And whither should they go to acquire a province for King James? The fertility and wealth of Guiana had been painted in dazzling colors by Raleigh; but the terrors of the tropical climate, the wavering pretensions of England to the soil, and the proximity of bigoted Catholics, led them rather to look towards "the most northern parts of Virginia," hoping, under the general government of that province, "to live in a distinct body by themselves." To obtain the consent of the London company, John Carver, with Robert Cushman, in 1617, repaired to England. They took with them "seven articles," from the members of the church at Leyden, to be submitted to the council in England for Virginia. These articles discussed the relations which, as separatists in religion, they bore to their prince; and they adopted the theory which the admonitions of Luther and a century of persecution had developed as the common rule of plebeian sectaries on the continent of Europe. They expressed their concurrence in the creed of the Anglican church, and a desire of spiritual communion with its members. Towards the king and all civil authority derived from him, including bishops, whose civil authority they alone recognised, they promised, as they would have done to Nero and the Roman pontifex, "obedience in all things, active if the thing commanded be not against God's word, or passive if it be." They denied all power to ecclesiastical bodies, unless it were given by the temporal magistrate. They pledged themselves to honor their superiors, and to preserve unity of spirit in peace with all men. "Divers selecte gentlemen of the council for Virginia were well satisfied with their statement, and resolved to set forward their desire." The London company listened very willingly to their proposal, so that their agents "found God going along with them;" and, through the influence of "Sir Edwin Sandys,

a religious gentleman then living," a patent might at once have been taken, had not the envoys desired first to consult "the multitude" at Leyden.

On the fifteenth of December, 1617, the pilgrims transmitted their formal request, signed by the hands of the greatest part of the congregation. "We are well weaned," added Robinson and Brewster, "from the delicate milk of our mother country, and inured to the difficulties of a strange land; the people are industrious and frugal. We are knit together as a body in a most sacred covenant of the Lord, of the violation whereof we make great conscience, and by virtue whereof we hold ourselves straitly tied to all care of each other's good, and of the whole. It is not with us as with men whom small things can discourage."

The messengers of the pilgrims, satisfied with their reception by the Virginia company, petitioned the king for liberty of religion, to be confirmed under the king's broad seal. But here they encountered insurmountable difficulties. Of all men in the government of that day, Lord Bacon had given the most attention to colonial enterprise. The settlements of the Scotch in Ireland ever enjoyed his particular favor. To him, as "to the encourager, pattern, and perfecter of all virtuous endeavors," Strachey at this time dedicated his *Historie of Travaile into Virginia*; to him John Smith, in his "povertie," now turned for encouragement in colonizing New England, as to "a chief patron of his country and the greatest favorer of all good designs." To him Sir George Villiers, who was lately risen to the state of favorite to James, addressed himself for advice, and received instructions how to govern himself in office.

The great master of speculative wisdom should have inculcated freedom of conscience; but for that he knew too little of religion. He saw that the established church, which he cherished as the eye of England, was not without blemish; that the wrongs of the Puritans could neither be dissembled nor excused; that the silencing of ministers, for the sake of enforcing the ceremonies, was, in the scarcity of good preachers, a punishment that lighted on the people; and he esteemed controversy "the wind by which truth is

winnowed." But Bacon was formed for contemplative life, not for action; his will was feeble, and having no power of resistance, and yet an incessant yearning for vain distinction and display, he became a craven courtier and an intolerant statesman. "Discipline by bishops," said he, "is fittest for monarchy of all others. The tenets of separatists and sectaries are full of schism, and inconsistent with monarchy. The king will beware of Anabaptists, Brownists, and others of their kinds; a little connivency sets them on fire. For the discipline of the church in colonies, it will be necessary that it agree with that which is settled in England, else it will make a schism and a rent in Christ's coat, which must be seamless; and, to that purpose, it will be fit that by the king's supreme power in causes ecclesiastical, within all his dominions, they be subordinate under some bishop and bishoprick of this realm. This caution is to be observed, that if any transplant themselves into plantations abroad, who are known schismatics, outlaws, or criminal persons, they be sent for back upon the first notice."

These maxims prevailed at the council-board, when the envoys from the independent church at Leyden preferred their requests. "Who shall make your ministers?" it was asked of them; and they answered, "The power of making them is in the church;" and the avowal of their principle, that ordination requires no bishop, threatened to spoil all. To advance the dominions of England, King James esteemed "a good and honest motion; and fishing was an honest trade, the apostles' own calling;" yet he referred the suit to the prelates of Canterbury and London. Even while the negotiations were pending, a royal declaration constrained the Puritans of Lancashire to conform or leave the kingdom; and nothing more could be obtained for the wilds of America than an informal promise of neglect. On this the community relied, being advised not to entangle themselves with the bishops. "If there should afterwards be a purpose to wrong us," thus they communed with themselves, "though we had a seal as broad as the house-floor, there would be means enough found to recall or reverse it. We must rest herein on God's providence."

1619. Better hopes seemed to dawn when, in 1619, the London company for Virginia elected for their treasurer Sir Edwin Sandys, who from the first had befriended the pilgrims. Under his presidency, the members of the company in their open court, so writes one of the pilgrims, "demanded our ends of going; which being related, they said the thing was of God, and granted a large patent." As it was taken in the name of one who failed to accompany the expedition, the patent was never of any service. And, besides, the pilgrims, after investing all their own means, had not sufficient capital to execute their schemes.

In this extremity, Robinson looked for aid to the Dutch. He and his people and their friends, to the number of four hundred families, professed themselves well inclined to emigrate to the country on the Hudson, and to plant there a new commonwealth under the command of the stadholder and the states-general. The West-India company was willing to transport them without charge, and to furnish them with cattle, if that people would "go under them;" the directors petitioned the states-general to promise protection to the enterprise against all violence from other potentates. But such a promise was contrary to the policy of the Dutch government, and was refused.

The members of the church of Leyden were not shaken in their purpose of removing to America; and ceasing "to meddle with the Dutch, or to depend too much on the Virginia company," they trusted to their own resources and the aid of private friends. The fisheries had commended American expeditions to English merchants; and the agents from Leyden were able to form a partnership between their employers and men of business in London. The services of each emigrant were rated as a capital of ten pounds, and belonged to the company; all profits were to be reserved till the end of seven years, when the whole amount, and all houses and land, gardens and fields, were to be divided among the shareholders according to their respective interests. The London merchant, who risked one hundred pounds, would receive for his money tenfold more than the penniless laborer for his services. This arrangement threat-

ened a seven years' check to the pecuniary prosperity of the community ; yet, as it did not interfere with civil rights\* or religion, it did not intimidate the resolved.

And now the English at Leyden, trusting in God and in themselves, made ready for their departure. 1620. The ships which they had provided — the "Speed-well," of sixty tons, the "Mayflower," of one hundred and eighty tons — could hold but a minority of the congregation ; and Robinson was therefore detained at Leyden, while Brewster, the governing elder, who was also an able teacher, conducted "such of the youngest and strongest as freely offered themselves." Every enterprise of the pilgrims began from God. A solemn fast was held. July "Let us seek of God," said they, "a right way for us, and for our little ones, and for all our substance." Anticipating their high destiny, and the sublime lessons of liberty that would grow out of their religious tenets, Robinson gave them a farewell, breathing a freedom of opinion and an independence of authority such as then were hardly known in the world.

"I charge you, before God and his blessed angels, that you follow me no further than you have seen me follow the Lord Jesus Christ. The Lord has more truth yet to break forth out of his holy word. I cannot sufficiently bewail the condition of the reformed churches, who are come to a period in religion, and will go at present no further than the instruments of their reformation. Luther and Calvin were great and shining lights in their times, yet they penetrated not into the whole counsel of God. I beseech you, remember it, — 'tis an article of your church covenant, — that you be ready to receive whatever truth shall be made known to you from the written word of God."

"When the ship was ready to carry us away," writes Edward Winslow, "the brethren that stayed at Leyden, having again solemnly sought the Lord with us and for us, feasted us that were to go, at our pastor's house, being large ; where we refreshed ourselves, after tears, with singing of psalms, making joyful melody in our hearts, as well as with the voice, there being many of the congregation very expert

in music ; and indeed it was the sweetest melody that ever mine ears heard. After this they accompanied us to Delft-Haven, where we went to embark, and then feasted us again ; and, after prayer performed by our pastor, when a flood of tears was poured out, they accompanied us to the ship, but were not able to speak one to another for the abundance of sorrow to part. But we only, going aboard, gave them a volley of small shot and three pieces of ordnance ; and so, lifting up our hands to each other, and our hearts for each other to the Lord our God, we departed."

A prosperous wind soon wafts the vessel to Southampton ; and in a fortnight the "Mayflower" and the "Speedwell," freighted with the first colony of New England, leave Southampton for America. But they had not gone far upon the Atlantic before the smaller vessel was found to need repairs, and they entered the port of Dartmouth. After the lapse of eight precious days, they again weigh anchor ; the coast of England recedes ; already they are unfurling their sails on the broad ocean, when the captain of the "Speedwell," with his company, dismayed at the dangers of the enterprise, once more pretends that his ship is too weak for the service. They put back to Plymouth, "and agree to dismiss her, and those who are willing return to London, though this was very grievous and discouraging." Having thus winnowed their numbers, the little band, not of resolute men only, but wives, some far gone in pregnancy, children, infants, a floating village of one hundred and two souls, went on board the single ship,

which was hired only to convey them across the Atlantic ; and, on the sixth day of September, 1620, thirteen years after the first colonization of Virginia, two months before the concession of the grand charter of Plymouth, without any warrant from the sovereign of England, without any useful charter from a corporate body, the passengers in the "Mayflower" set sail for a new world, where the past could offer no favorable auguries.

Had New England been colonized immediately on the discovery of the American continent, the old English institutions would have been planted with the Roman Catholic

hierarchy ; had the settlement been made under Elizabeth, it would have been before activity of the popular mind in religion had conducted to a corresponding activity of mind in politics. The pilgrims were Englishmen, Protestants, exiles for conscience, men disciplined by misfortune, cultivated by opportunities of extensive observation, equal in rank as in rights, and bound by no code but that of religion or the public will.

The eastern coast of the United States abounds in beautiful and convenient harbors, in majestic bays and rivers. The first Virginia colony, sailing along the shores of North Carolina, was, by a favoring storm, driven into the magnificent Bay of the Chesapeake ; the pilgrims, having selected for their settlement the country near the Hudson, the best position on the whole coast, were conducted to the most barren part of Massachusetts. After a boisterous voyage of sixty-three days, during which one person had died, they espied land ; and, in two days Nov. 9 more, cast anchor in the harbor of Cape Cod.

Yet, before they landed, the manner in which their government should be constituted was considered ; and, as some were observed "not well affected to unity and concord," they formed themselves into a body politic by a solemn voluntary compact :—

“ In the name of God, amen ; we, whose names are underwritten, the loyal subjects of our dread Nov. 11 sovereign King James, having undertaken, for the glory of God, and advancement of the Christian faith, and honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do, by these presents, solemnly and mutually, in the presence of God and one of another, covenant and combine ourselves together, into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid ; and, by virtue hereof, to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most convenient for the general good of the colony. Unto which we promise all due submission and obedience.”

This instrument was signed by the whole body of men, forty-one in number, who, with their families, constituted the one hundred and two, the whole colony, "the proper democracy," that arrived in New England. Here was the birth of popular constitutional liberty. The middle age had been familiar with charters and constitutions; but they had been merely compacts for immunities, partial enfranchisements, patents of nobility, concessions of municipal privileges, or limitations of the sovereign power in favor of feudal institutions. In the cabin of the "Mayflower," humanity recovered its rights, and instituted government on the basis of "equal laws" enacted by all the people for "the general good." John Carver was immediately and unanimously chosen governor for the year.

Men who emigrate, even in well-inhabited districts, pray that their journey may not be in winter. Wasted by the rough voyage, scantily supplied with provisions, the English fugitives found themselves, at the opening of winter, on a bleak and barren coast, in a severe climate, with the ocean on one side and the wilderness on the other. There were none to show them kindness or bid them welcome. The nearest French settlement was at Port Royal; it was five hundred miles to the English plantation at Virginia. As they attempted to disembark, the water was found so shallow that they were forced to wade; and, in the freezing weather, this sowed the seeds of consumption. The bitterness of mortal disease was their welcome to the inhospitable shore.

<sup>1620</sup> <sub>Nov 13</sub> Winter was at hand, and the spot for the settlement remained to be chosen. The shallop was unshipped; and it was a real disaster to find that it needed repairs. The carpenter made slow work, so that sixteen or seventeen days elapsed before it was ready for service. But Standish and Bradford, and others, impatient of the delay, determined to explore the country by land. "In regard to the danger," the expedition "was rather permitted than approved." Much hardship was endured; but what beneficial discoveries could be made in the deep sands near Paomet Creek? The first expedition in the

shallop was likewise unsuccessful; "some of the people, that died that winter, took the original of their death in the enterprise; "for it snowed and did blow all the day and night, and froze withal." The men who were set on shore "were tired with marching up and down the steep hills and deep valleys, which lay half a foot thick with snow." A heap of maize was discovered; and further search led to a burial-place of the Indians; but they found "no more corn, nor any thing else but graves."

At length, the shallop was again sent out, with . <sup>1620.</sup> Carver, Bradford, Winslow, Standish, and others, <sup>Dec 6.</sup> and eight or ten seamen. The spray of the sea froze as it fell on them, and made their clothes like coats of iron. That day, they reached Billingsgate Point, at the bottom of the Bay of Cape Cod, on the western shore of Wellfleet harbor. The next morning, the company <sup>Dec 7.</sup> divided; those on shore find a burial-place, graves, and four or five deserted wigwams, but neither people, nor any place inviting a settlement. Before night, the whole party met by the seaside, and encamped on land together near Namskekett, or Great Meadow Creek.

The next day, they rose at five; their morning prayers were finished, when, as the day dawned, a war-whoop and a flight of arrows announced an attack from <sup>Dec 8</sup> Indians. They were of the tribe of the Nausites, who knew the English as kidnappers; but the encounter was without further result. Again the boat's crew give thanks to God, and steer their bark along the coast for the distance of fifteen leagues: But no convenient harbor is discovered. The pilot, who had been in these regions before, gives assurance of a good one, which may be reached before night; and they follow his guidance. After some hours' sailing, a storm of snow and rain begins; the sea swells; the rudder breaks; the boat must now be steered with oars; the storm increases; night is at hand; to reach the harbor before dark, as much sail as possible is borne; the mast breaks into three pieces; the sail falls overboard; but the tide is favorable. The pilot, in dismay, would have run the boat on shore in a cove full of breakers. "About

with her," exclaimed a sailor, "or we are cast away." They get her about immediately; and, passing over the surf, they enter a fair sound, and shelter themselves under the lee of a small rise of land. It is dark, and the rain beats furiously; yet the men are so wet, and cold, and weak, they slight the danger to be apprehended from the savages, and, after great difficulty, kindle a fire on shore.

1620. The light of morning showed the place to be a Dec. 9. small island within the entrance of a harbor. The day was required for rest and preparations. Time was precious; the season advancing; their companions were Dec. 10. left in suspense. The next day was the "Christian sabbath;" and the pilgrims kept it sacredly, though every consideration demanded haste.

Dec. 11. On Monday, the eleventh of December, old style, on the very day of the winter solstice, the exploring party of the forefathers land at Plymouth. A grateful posterity has marked the rock on which they first trod. That day is kept as the origin of New England, the planting of its institutions. Historians love to trace every vestige of the pilgrims; poets commemorate their virtues; the noblest genius has been called into exercise to display their merits worthily, and to trace the consequences of their enterprise.

Dec. 15. The spot, when examined, invited a settlement; and, in a few days, the "Mayflower" was safely moored in its harbor. In memory of the hospitalities which the company had received at the last English port from which they had sailed, this oldest New England colony took the name of Plymouth. The system of civil government had been established by common agreement; the church had been fully organized before it left Leyden. As the pilgrims landed, their institutions were already perfected. "A commonwealth was in the bud." Democratic liberty and independent Christian worship started into being.

After some days, they began to build; a difficult 1621. task for men of whom one half were wasting away Jan. 9. with consumptions and lung-fevers. For the sake of haste, it was agreed that every man should build his own

house; but, though the winter was unwontedly mild, frost and foul weather were great hindrances: they could seldom work half of the week; and tenements were erected as they could be, in the intervals between showers of sleet and snow.

A few years before, a pestilence had swept away the neighboring tribes. Yet when a body of Indians <sup>1621</sup> <sub>Feb 16.</sub> from abroad was discovered hovering near, though disappearing when pursued, the colony assumed a military organization, with Miles Standish as its captain. But dangers from the natives were not at hand.

One day in March, Samoset, an Indian who had Mar. 16. learned a little English of the fishermen at Penobscot, entered the town, and, passing to the rendezvous, exclaimed in English: "Welcome, Englishmen." He was from the eastern coast, of which he gave them profitable information; he told also the names, number, and strength of the nearer people, especially of the Wamponoags, a tribe memorable in the history of New England. After some little negotiation, in which an Indian, who had been carried away by Hunt, had learned English in England, and had, in an earlier expedition, returned to his native land, acted as an interpreter, Massassoit himself, "the greatest commander of the country," sachem of the tribe possessing the country north of Narragansett Bay, and between the rivers of Providence and Taunton, came to visit Mar. 22. the pilgrims, who, with their wives and children, amounted to no more than fifty. The chieftain was received with all the ceremonies which the condition of the colony permitted. A treaty of friendship was soon completed in few and unequivocal terms. The parties promised to abstain from mutual injuries, and to deliver up offenders; the colonists were to receive assistance, if attacked; to render it, if Massassoit should be attacked unjustly. The treaty included the confederates of the sachem; it is the oldest act of diplomacy recorded in New England; it was concluded in a day, and, being founded on reciprocal interests, was sacredly kept for more than half a century. Massassoit desired the alliance, for the powerful Narragansetts were his enemies; his tribe, moreover, having become

habituated to some English luxuries, were willing to establish a traffic ; while the emigrants obtained peace, security, and the opportunity of a lucrative commerce.

1621. On the third of March, a south wind had brought <sup>Mar. 3.</sup> warm and fair weather. "The birds sang in the woods most pleasantly." But spring had far advanced, before the mortality grew less. It was afterwards remarked, with modest gratitude, that, of the survivors, very many lived to an extreme old age. A shelter, not less than comfort, had been wanting ; the living had been scarce able to bury the dead ; the well not sufficient to take care of the sick. At the season of greatest distress, there were but seven able to render assistance. Carver, the governor, at his first landing, lost a son ; by his care for the common good, he shortened his own days ; and his wife, broken-hearted, followed him in death. William Bradford, the historian of the colony, was soon chosen his successor. The record of misery was kept by the graves of the governor and half the company.

After sickness abated, privation and want remained to be encountered. Yet, when in April the "Mayflower" was despatched for England, not one returned in her ; <sup>July.</sup> while near autumn new emigrants arrived. In July, an embassy from the little colony to Massassoit, their ally, performed through the forests and on foot, confirmed the treaty of amity, and prepared the way for a trade in furs. The marks of devastation from a former plague were visible wherever the envoys went, and they witnessed the extreme poverty and feebleness of the natives.

<sup>Aug.</sup> The influence of the English over the aborigines was rapidly extended. A sachem, who menaced their safety, was compelled to sue for mercy ; and in <sup>Sept. 18.</sup> September nine chieftains subscribed an instrument of submission to King James. The Bay of Massachusetts and harbor of Boston were explored. The supply of bread was scanty ; but, at their rejoicing together after the harvest, the colonists had great plenty of wild fowl and venison, so that they feasted Massassoit with some ninety of his men.

Canonicus, the wavering sachem of the Narragansetts, whose territory had escaped the ravages of the pestilence, had at first desired to treat of peace; in 1622, <sup>1622.</sup> a bundle of arrows, wrapped in the skin of a rattle-snake, was his message of hostility. But, when Bradford sent back the skin stuffed with powder and shot, his courage quailed, and he sued for amity.

The returns from agriculture continued to be uncertain so long as the system of common property prevailed. After the harvest of 1623, there was no general want <sup>1623.</sup> of food; in the spring of that year, it had been agreed that each family should plant for itself; and parcels of land, in proportion to the respective numbers, were assigned for tillage, though not for inheritance. This arrangement produced contented labor and universal industry; "even women and children now went into the field to work." The next spring, every person <sup>1624.</sup> obtained a little land in perpetual fee, and neat-cattle were introduced. The necessity of the case and the common interest demanded a slight departure from the oppressive agreement with the English merchants. Before many harvests, so much corn was raised that it began to form one profitable article of commerce; and the Indians, preferring the chase to tillage, looked to the men of Plymouth for their supply. The exchange of European manufactures for beaver and other skins was lucrative.

The gain by the fur-trade was an object of envy; and Thomas Weston, who had been active among the London adventurers in establishing the Plymouth colony, now desired to engross the profits which he already deemed secure. A patent for land near Weymouth, the first plantation in Boston harbor, was easily obtained; and a company <sup>1623.</sup> <sup>March.</sup> of sixty men were sent over. Helpless at their arrival, they intruded themselves, for most of the summer, upon the unrequited hospitality of the people of Plymouth. In their plantation, they were soon reduced to necessity by their want of thrift and injustice towards the Indians; and a plot was formed for their entire destruction. But the grateful Massassoit revealed the design to his allies; and the plant-

ers at Weymouth were saved by the wisdom of the older colony and the intrepid gallantry of Standish. It was 1623. "his capital exploit." Some of the rescued men went to Plymouth; some sailed for England. One short year saw the beginning and decay of Weston's adventure.\*

The partnership of the Plymouth men with English merchants occasioned double inconvenience; for it not only endangered their prosperity, but kept from them their pastor. Robinson and the rest of his church, at Leyden, were suffering from deferred hopes, and were longing to rejoin their brethren. The adventurers in England refused to provide them a passage, and attempted, with but short success, 1624 to 1626. to force upon the colonists a clergyman more friendly to the established church. Offended by opposition, and discouraged at the small returns from their investments, they became ready to prey upon the interests of their associates in America. A ship was despatched to rival them in their business; goods, which were sent for their supply, were sold to them at an advance of seventy per cent. The curse of usury, which always falls so heavily upon new settlements, did not spare them; for, being left without help from the partners, they were obliged to borrow money at fifty per cent and at thirty per cent interest. At last, the emigrants purchased the entire rights of the English adventurers; the common property was equitably divided, and agriculture established on the basis of private possession. For a six years' monopoly of the trade, eight of the most enterprising men assumed all the engagements of the colony; so that the cultivators of the soil became really freeholders; neither debts nor rent day troubled them.

The progress of population was very slow. The lands in the vicinity were not fertile; and at the end of ten years the colony contained no more than three hundred souls. Hardly were they planted in America, when their enterprise began to take a wide range; before Massachusetts was settled, they had acquired rights at Cape Ann, as well as an extensive domain on the Kennebec; and they were the 1623. first of the English to have a post on the banks of Mar. 1. the Connecticut. The excellent Robinson died at

Leyden, before the faction in England would permit his removal to Plymouth ; his heart was in America, where his memory will never die. The remainder of his people, and with them his wife and children, emigrated, so soon as means could be provided to defray the costs.

The frame of civil government in the old colony was of the utmost simplicity. A governor was chosen by general suffrage, whose power, always subordinate to the general will, was, at the desire of Bradford, in 1624 <sup>1624.</sup> restricted by a council of five, and in 1633 of seven, <sup>1633</sup> assistants. In the council, the governor had but a double vote. There could be no law or imposition without consent of freemen. For more than eighteen years, "the whole body of the male inhabitants" constituted the legislature ; the state was governed, like our towns, as a strict democracy ; and the people were frequently convened to decide on executive not less than on judicial questions. At length, in 1639, the increase of population, <sup>1639.</sup> and its diffusion over a wider territory, led to the introduction of the representative system, and each town sent its committee to the general court. We shall subsequently find the colony a distinct member of the earliest American confederacy.

The men of Plymouth exercised self-government <sup>1630.</sup> without the sanction of a royal charter, which it was ever impossible for them to obtain ; so that, according to the principles adopted in England, the planters, with an unquestionable property in the soil, had no right to assume a separate jurisdiction. It was therefore in the colonists themselves that their institutions found a guarantee for stability. They never hesitated to punish small offences ; it was only after some scruples that they inflicted capital punishment. Their doubts being once removed, they exercised the same authority as the charter governments. Death was, by subsequent laws, made the penalty for several crimes, but was never inflicted except for murder. House-breaking and highway robbery were offences unknown in their courts, and too little apprehended to be made subjects of severe legislation.

"To enjoy religious liberty was the known end of the first comers' great adventure into this remote wilderness ;" and they desired no increase but from the friends of their communion. Yet their residence in Holland had made them acquainted with various forms of Christianity ; a wide ex-  
perience had emancipated them from bigotry ; and they were never betrayed into the excesses of religious persecution, though they sometimes permitted a disproportion  
1645. between punishment and crime. In 1645, a majority of the house of delegates were in favor of an act to "allow and maintain full and free toleration to all men that would preserve the civil peace and submit unto government ; and there was no limitation or exception against Turk, Jew, Papist, Arian, Socinian, Nicolaitan, Familist, or any other ;" but the governor, fearing it would "eat out the power of godliness," refused to put the question, and so stifled the law.

It is chiefly as guides and pioneers that the fathers of the old colony merit gratitude. Through scenes of gloom and misery, the pilgrims showed the way to an asylum for those who would go to the wilderness for the liberty of conscience. Accustomed "in' their native land to a plain country life and the innocent trade of husbandry," they set the example of colonizing New England with freeholders, and formed the mould for the civil and religious character of its institutions. Enduring every hardship themselves, they were the servants of posterity, the benefactors of succeeding generations. In the history of the world, many pages are devoted to commemorate the men who have besieged cities, subdued provinces, or overthrown empires. In the eye of reason and of truth, a colony is a better offering than a victory ; it is more fit to cherish the memory of those who founded a state on the basis of democratic liberty ; the men who, as they first trod the soil of the New World, scattered the seminal principles of republican freedom and national independence. They enjoyed, in anticipation, their extending influence, and the fame which their successors would award to their virtues. "Out of small beginnings," said Bradford, "great things have been produced ; and as one small candle

may light a thousand, so the light here kindled hath shone to many, yea, in some sort to our whole nation." "Let it not be grievous to you," such was the consolation offered from England to the pilgrims in the season of their greatest sufferings, "let it not be grievous to you, that you have been instruments to break the ice for others. The honor shall be yours to the world's end." "Yea, the memory of the adventurers to this plantation shall never die."

## CHAPTER IX.

## THE EXTENDED COLONIZATION OF NEW ENGLAND.

THE council of Plymouth for New England, having obtained of King James the boundless territory and 1620 the immense monopoly which they had desired, had no further obstacles to encounter but the laws of nature and the remonstrances of parliament. No tributaries tenanted their countless millions of uncultivated acres; and exactions upon the vessels of English fishermen were the only means of acquiring an immediate revenue from America. But, in April, 1621, the spirit of the commons indignant opposed the extravagant pretensions of the favored company, and demanded for every subject of the English king the free liberty of engaging in a pursuit which was the chief source of wealth to the merchants of the west.

<sup>1621.</sup> <sub>Apr. 25.</sub> "Shall the English," said Sir Edwin Sandys, the statesman so well entitled to the enduring gratitude of America, "be debarred from the freedom of the fisheries, a privilege which the French and Dutch enjoy? It costs the kingdom nothing but labor, employs shipping, and furnishes the means of a lucrative commerce with Spain." "The fishermen hinder the plantations," replied Calvert; "they choke the harbors with their ballast, and waste the forests by improvident use. America is not annexed to the realm, nor within the jurisdiction of parliament. You have, therefore, no right to interfere." "We may make laws for Virginia," rejoined another member, intent on opposing the flagrant benevolence of the king, and wholly unconscious of asserting, in the earliest debate on American affairs, the claim of parliament to that absolute sovereignty which the colonies never acknowledged, and which led to the war ~~of~~ the revolution; "a bill passed by

the commons and the lords, if it receive the king's assent, will control the patent." The charter, argued Sir Edward Coke, with ample reference to early statutes, was granted without regard to previously existing rights, and is therefore void by the established laws of England. So the friends of the liberty of fishing triumphed over the advocates of the royal prerogative, though the parliament was dissolved before a bill could be carried through all the forms of legislation.

Yet enough had been done to infuse vigor into mercantile enterprise. In the second year after the settlement of Plymouth, five-and-thirty sail of vessels went to fish on the coasts of New England, and made good voyages. The monopolists appealed to King James; and the monarch issued a proclamation, which forbade any to approach the northern coast of America, except with the leave of the company of Plymouth, or of the privy council. It was monstrous thus to seal up a large portion of an immense continent; it was impossible to carry the ordinance into effect. The desire to enforce it provoked a conflict, in which it was sure of being overthrown.

But the monopolists endeavored to establish their claims. In June, 1623, one Francis West was despatched with a commission as admiral of New England, for the purpose of excluding from the American seas such fishermen as came without a license. But his feeble authority was derided; the ocean was a wide place over which to keep sentry. The mariners refused to pay the tax which he imposed; and his ineffectual authority was soon resigned.

The patentees, alike prodigal of charters and tenacious of their monopoly, having, in December, 1622, given to Robert Gorges, the son of Sir Ferdinando, a patent for a tract extending ten miles on Massachusetts Bay, and thirty miles into the interior, appointed him lieutenant-general of New England, with power "to restrain interlopers," not less than to regulate the affairs of the corporation. His patent was never permanently used; though, in 1623, the colony at Weymouth was revived, to meet once more with ill fortune. He was

1623.  
June.

1622.  
Dec. 13.

1623.

attended by Morell, an Episcopal clergyman, who was provided with a commission for the superintendence of ecclesiastical affairs. It was no doubt with the same party that the clergyman William Blackstone came over. Instead of establishing a hierarchy, Morell, remaining in New England about a year, wrote a description of the country in very good Latin verse; while the civil dignity of Robert Gorges ended in a short-lived dispute with Weston.

When, in 1624, parliament was again convened, 1624. the controversy against the charter was renewed; and the rights of liberty found a champion in the aged Sir Edward Coke, who now expiated the sins of his early ambi-

tion by devotion to the interests of the people. It Mar. 17 was in vain that the patentees relinquished a part of

their pretensions; the commons resolved that English fishermen should have fishing with all its incidents. "Your patent," thus Gorges was addressed by Coke from the speaker's chair, "contains many particulars contrary to the laws and privileges of the subject; it is a monopoly, and the ends of private gain are concealed under color of planting a colony." "Shall none," observed the veteran lawyer in debate, "shall none visit the sea-coast for fishing? This is to make a monopoly upon the seas, which wont to be free. If you alone are to pack and dry fish, you attempt a monopoly of the wind and the sun." It was in vain for Sir George Calvert to resist. The bill for free fishing was adopted, but it never received the royal assent.

The determined opposition of the house, though it could not move the king to overthrow the corporation, paralyzed its enterprise; many of the patentees abandoned their interest: so that the Plymouth company now did little except issue grants of domains; and the cottages, which, within a few years, were sprinkled along the coast from Cape Cod to the Bay of Fundy, were the consequence of private adventure.

The territory between the river of Salem and the Kennebec became, in a great measure, the property of two enterprising individuals. We have seen that Martin 1603. Pring was the discoverer of New Hampshire, and

that John Smith, of Virginia, had examined and extolled the deep waters of the Piscataqua. Sir 1614. Ferdinando Gorges, the most energetic member of the council of Plymouth, always ready to encounter 1620 risks in the cause of colonizing America, had not allowed repeated ill-success to chill his confidence and decision; and he found in John Mason, "who had been governor of a plantation in Newfoundland, a man of action," like himself. It was not difficult for Mason, who had been elected an associate and secretary of the council, to obtain, in March, 1621, a grant of the lands between Salem <sup>1621.</sup> Mar. 9. River and the farthest head of the Merrimack; but he did no more with this vast estate than give it a name. The passion for land increased; and Gorges and Mason next, in August, 1622, took a patent for Laconia, the <sup>1622.</sup> Aug. 10. whole country between the sea, the St. Lawrence, the Merrimack, and the Kennebec; a company of English merchants was formed; and under its auspices, in 1623, permanent plantations were established on the <sup>1623.</sup> banks of the Piscataqua. Portsmouth and Dover are among the oldest towns in New England. In the same year, an attempt was made by Christopher Lovett to colonize the county and city of York, for which, at a later day, collections were ordered to be taken up in all the churches of England. Meantime, the council for New England, holding a meeting at Whitehall in June, 1623, divided it among themselves by the drawing of lots, the king himself drawing for Buckingham.

When the country on Massachusetts Bay was granted to a company, of which the zeal and success were soon to overshadow all the efforts of proprietaries and merchants, it became expedient for Mason to procure a new patent; and, in November, 1629, he received a <sup>1629.</sup> Nov. 7. fresh title to the territory between the Merrimack and Piscataqua, in terms which, in some degree, interfered with the pretensions of his neighbors on the south. This was the patent for New Hampshire, and was pregnant with nothing so signally as suits at law. The region had been devastated by the mutual wars of the tribes, and the same

wasting pestilence which left New Plymouth a desart ; no notice seems to have been taken of the rights of the natives, nor did they now issue any deed of their lands ; but the soil in the immdiate vicinity of Dover, and afterwards of Portsmouth, was conveyed to the planters themselves, or to those at whose expense the settlement had been made. A favorable impulse was thus given to the little colonies ; and houses now began to be built on the "Strawberry Bank" of the Piscataqua. But the progress of the town was slow ; Josselyn described the whole coast as a mere wilderness, with here and there a few huts scattered by the sea-side ; and, thirty years after its settlement, Portsmouth made only the moderate boast of containing "between fifty and sixty families."

When the grand charter, which had established the council of Plymouth, was about to be revoked, Mason extended his pretensions to the Salem River, the southern boundary of his first territory, and obtained of the expiring corporation a corresponding patent. But the death of Mason, before the king had confirmed his grant, cut off the aggrandizement of his family. His widow, in vain attempted to manage the colonial domains ; the costs exceeded the revenue ; the servants were ordered to provide for their own welfare ; the property of the great landed proprietary was divided among them for the payment of arrears ; and Mason's American estate was completely ruined. Neither king nor feudal lord troubled the few inhabitants of New Hampshire ; they were left to take care of themselves.

The enterprise of Sir Ferdinando Gorges, though sustained by stronger expressions of royal favor, and continued with indefatigable perseverance, was not followed by much greater success. We have seen a colony established, though but for a single winter, on the shores which Pning had discovered and Waymouth had explored. After the bays of New England had been more carefully examined by the same daring

adventurer who sketched the first map of the Chesapeake, the coast was regularly visited by fishermen and traders. A special account of the country was one of the fruits of Hakluyt's inquiries, and was published in the collections of Purchas. At Winter Harbor, near the mouth of Saco River, Englishmen, under Richard Vines, again encountered the severities of the inclement season; and, not long afterwards, the mutineers of the crew of Rocraft lived from autumn till spring on Monhegan Island. The earliest settlers, intent only on their immediate objects, hardly aspired after glory; from the few memorials which they have left, it is not, perhaps, possible to ascertain the precise time when the rude shelters of the fishermen on the sea-coast begin to be tenanted by permanent inmates, and the fishing stages of a summer to be transformed into regular establishments of trade. The first settlement was probably made "on the Maine," but a few miles from Monhegan, at the mouth of the Pemaquid. The earliest observers could not but admire the noble rivers and secure bays, which invited commerce, and gave the promise of future opulence; but if hamlets were soon planted near the mouths of the streams, if forts were erected to protect the merchant and the mariner, agriculture received no encouragement; and so many causes combined to check the growth of the country, that, notwithstanding its natural advantages, nearly two centuries glided away, before the scattered settlements along the seaside rose into a succession of busy marts, sustained and enriched by the thriving villages of a fertile interior.

The settlement at Piscataqua could not quiet the ambition of Gorges. As a churchman and an Englishman, he was almost a bigot, both in patriotism and in religion. Unwilling to behold the Roman Catholic Church and the French monarch obtain possession of the eastern coast of North America, his first act with reference to the territory of the present state of Maine was to invite the Scottish nation to become the guardians of its frontier. Sir William Alexander, the ambitious writer of turgid rhyming

tragedies, a man of influence with King James, and already filled with the desire of engaging in colonial adventure, seconded a design which promised to establish his personal dignity and interest; and he obtained, without difficulty, a patent for all the territory east of the river St. Croix and south of the St. Lawrence. The region, which had already been included in the provinces of Acadia and New France, was designated in English geography by the name of Nova Scotia. Thus were the seeds of future wars scattered broadcast by the unreasonable pretensions of England; for James now gave away lands which already, and with a better title on the ground of discovery, had been granted by Henry IV. of France, and immediately occupied by his subjects.

Attempts were made without delay to effect a Scottish settlement. In 1622, a ship, despatched for the purpose, came in sight of the shore, and then, declining the perilous glory of colonization, returned to the permanent fishing station on Newfoundland. The next spring, a second ship arrived; but the two vessels in company hardly possessed courage to sail to and fro along the coast, and make a partial survey of the harbors and the adjacent lands. The formation of a colony was postponed; and a brilliant eulogy of the soil, climate, and productions of Nova Scotia was the only compensation for the failure.

It may be left to English historians to relate how much their country suffered from the childish ambition of King James to marry the Prince of Wales to the daughter of the king of Spain. In the rash and unsuccessful visit of Prince Charles and Buckingham to Madrid, the former learned only to cherish the fine arts more fondly, and to become riveted in his belief that the king of England was rightfully as absolute as the monarchs of France and Spain; the latter received accounts of abundance of gold in the country of the Amazon, and, after his return, obtained a grant of the territory on that majestic river, with the promise of aid in his imperial enterprise from the king of Sweden.

After the death of James, the marriage of Charles I. with Henrietta Maria promised between the rival claimants of the wilds of Acadia such friendly relations as would lead to a peaceful adjustment of jarring pretensions. Yet, even at that period, the claims of France were not recognised by England; and in July, 1625, a <sup>1625. May.</sup> new patent confirmed to Sir William Alexander all the prerogatives which had been lavished on him, with the right of creating an order of baronets. The sale of titles proved to the poet a lucrative traffic; the project of a colony was abandoned.

The self-willed, feeble monarch of England, having twice abruptly dissolved parliament, and having vainly resorted to illegal modes of taxation, had forfeited the confidence of his people, and, while engaged in a ~~war~~ with Spain, was destitute of money and of credit. It was at such a moment that the favorite Buckingham, eager to <sup>1627.</sup> thwart Richelieu, hurried England into an unnecessary and disastrous conflict with France. The siege of Rochelle invited the presence of an English fleet; but the expedition was fatal to the honor and the objects of Buckingham.

Hostilities were nowhere successfully attempted, except in America. In 1628, Port Royal fell easily <sup>1628.</sup> into the hands of the English; the conquest was no more than the acquisition of a small trading station. It was a bolder design to attempt the reduction of Canada. Sir David Kirk and his two brothers, Louis and Thomas, were commissioned to ascend the St. Lawrence, and Quebec received a summons to surrender. The garrison, destitute alike of provisions and of military stores, had no hope but in the character of Champlain, its commander: his answer of proud defiance concealed his weakness; and the intimidated assailants withdrew. But Richelieu sent <sup>1629.</sup> no seasonable supplies; the garrison was reduced to extreme suffering and the verge of famine; and, when the squadron of Kirk reappeared before the town, the English were welcomed as deliverers. Favorable terms were demanded and promised; and Quebec capitulated. That is to

say, England gained possession of a few wretched hovels, tenanted by a hundred miserable men, beggars for bread of their vanquishers; and a fortress of which the English admiral could not but admire the position. Not a port in North America remained to the French; from Long Island to the pole, England had no rival.

But, before the conquest of Canada was achieved, <sup>1629.</sup> peace had been proclaimed between the contending <sup>May.</sup> states; and as an article in the treaty promised the restitution of all acquisitions, made subsequent to <sup>1632.</sup> <sup>Mar. 29</sup> April 14, 1629, Richelieu recovered not Quebec and Canada only, but Cape Breton and the undefined Acadia.

Very different causes delayed the colonization of Maine. Hardly had the settlement, which claimed the distinction of being the oldest plantation on that coast, gained a permanent existence, before a succession of patents distributed the territory from the Piscataqua to the Penobscot among various proprietors. The grants <sup>1629 to 1631.</sup> were couched in vague language, and were made in hasty succession, without deliberation on the part of the council of Plymouth, and without any firm purpose of establishing colonies on the part of those for whose benefit they were issued. The consequences were obvious. As the neighborhood of the indefinite possessions of France foreboded the border feuds of a controverted jurisdiction, so the domestic disputes about land-titles and boundaries threatened perpetual lawsuits. At the same time, enterprise was wasted by its diffusion over too wide a surface. Every harbor along the sea was accessible; groups of cabins were scattered at wide intervals, without any common point of attraction; and the agents of such proprietaries as aimed at securing a revenue from colonial rents were often, perhaps, faithless, were always unsuccessful. How feeble were the attempts at planting towns is evident from the nature of the tenure by which the lands near the Saco were held; the condition of the grant was the introduction of fifty settlers within seven years! Agriculture was hardly attempted. A district of forty miles square, named Lyonia, and

stretching from Harpswell to the Kennebunk, was 1630. set apart for the first colony of farmers; but, when a vessel of sixty tons brought over the emigrants who were to introduce the plough into the regions on Casco Bay, the earlier resident adventurers treated their scheme with derision. The musket and the hook and line were more productive than the implements of husbandry; the few members of the unsuccessful company remained but a single year in a neighborhood where the culture of the soil was so little esteemed, and, embarking once more, sought a home among the rising settlements of Massachusetts. Except for the wealth to be derived from the forest and the sea, the coast of Maine would not at that time have been tenanted by Englishmen; and this again was fatal to the expectations of the proprietaries, since furs might be gathered and fish taken without the payment of quit-rents or the purchase of lands.

Yet, from pride of character, Gorges clung to the project of territorial aggrandizement. When Mason 1635. Feb 3. limited himself to the country west of the Piscataqua, and while Sir William Alexander obtained of the Plymouth company a patent for the country between the St. Croix and the Kennebec, Gorges, alike undismayed by previous losses, and by the encroaching claims of the French, who had already advanced their actual boundary to the Penobscot, succeeded in soliciting the district that remained between the Kennebec and the boundary of New Hampshire. The earnestness of his designs is apparent from his appointment as governor-general of New England. An accident having prevented his embarkation for America, he sent a nephew, William Gorges, to govern the territory. That officer repaired to the province without delay. Saco may have contained one hundred and fifty inhabitants, when, in 1636, the first court ever duly organized on 1636. the soil of Maine was held within its limits. Before that time, there may have been voluntary combinations among the settlers themselves; but there had existed on the Kennebec no jurisdiction of sufficient power to prevent or to punish bloodshed among the traders. William Gorges

1637. remained in the country less than two years. Six Puritans of Massachusetts and Connecticut, who received a commission to act as his successors, declined the trust, and for two years no records of the infant settlements then called New Somersetshire can be found.

<sup>1639</sup> April 3 In April, 1639, a royal charter constituted Gorges, in his old age, the lord proprietary of the country; for which the old soldier, who had never seen America, immediately aspired to establish boroughs, frame schemes of colonial government, and enact a code of laws.

Such was the condition of the settlements at the north at a time when the region which lies but a little nearer the sun was already converted, by the energy of religious zeal, into a busy, well-organized, and even opulent state. The early history of Massachusetts is the history of a class of men as remarkable for their qualities and influence as any by which the human race has been diversified.

The settlement near Weymouth was kept up; a plantation was begun near Mount Wollaston, within the present limits of Quincy; and the merchants of the west continued their voyages to New England for fish and furs. But these things were of feeble moment, compared with the attempt at a permanent establishment near Cape Ann; by which Arthur Lake, bishop of Bath and Wells, and John White, the patriarch minister of Dorchester, Puritans, but not separatists, "occasional, yea, founded the work" of colonization, breathing into the enterprise a higher principle than the desire of gain. "He would go himself, but for his age," declared Lake, shortly before his death. Roger Conant, having already left New

<sup>1624</sup> Plymouth for Nantasket, through a brother in England, who was a friend of White, in 1625 obtained

the agency of the adventure. A year's experience proved to the company that their speculation must change its form, or it would produce no results; the merchants, therefore, paid with honest liberality all the persons whom they had employed, and abandoned the unprofitable scheme. But Conant, a man of extraordinary vigor, "inspired as it were by some superior instinct," and confid-

ing in the active friendship of White, succeeded in 1628. breathing a portion of his sublime courage into three of his companions ; and, making choice of Salem, as opening a convenient place of refuge for the exiles for religion, they resolved to remain as the sentinels of Puritanism on the Bay of Massachusetts.

In the year 1627, some friends being together in 1627. Lincolnshire fell into discourse about New England, and the planting of the gospel there ; and, after some deliberation, they imparted their reasons by letters and messages to some in London and the west country.

“ The business came afresh to agitation ” in London ; the project of planting by the help of fishing voyages was given up ; and from that city, Lincolnshire, and the west country, men of fortune and religious zeal, merchants and country gentlemen, the disreeter sort among the many who desired a reformation in church government, “ offered the help of their purses ” to advance “ the glory of God,” by planting a colony of the best of their countrymen on the shores of New England. To facilitate the grant of a charter from the crown, they sought the concurrence of the council of Plymouth for New England ; they were befriended in their application by the Earl of Warwick, and obtained the approbation of Sir Ferdinando Gorges ; and on the nineteenth of March, 1628, <sup>1628.</sup> <sub>Mar. 19</sub> that company, which had proved itself incapable of colonizing its domain, and could derive revenue only from sales of territory, disregarding a former grant of a large district on the Charles River, conveyed to Sir Henry Roswell, Sir John Young, Thomas Southcoat, John Humphrey, John Endecott, and Simon Whetcomb, a belt of land extending three miles south of the river Charles and the Massachusetts Bay, and three miles north of every part of the river Merrimack, from the Atlantic to the Pacific Ocean, to be held by the same tenure as in the county of Kent. The grantees associated to themselves Sir Richard Saltonstall, Isaac Johnson, Matthew Cradock, Increase Nowell, Richard Bellingham, Theophilus Eaton, William Pynchon, and others ; of whom nearly all united religious zeal with a capacity

for vigorous action. Endecott — who, “ever since the Lord in mercy had revealed himself unto him,” had maintained the straitest judgment against the outward form of God’s worship as prescribed by English statutes ; a man of dauntless courage, and that cheerfulness which accompanies courage ; benevolent, though austere ; firm, though choleric ; of a rugged nature, which his stern principles of non-conformity had not served to mellow — was selected as a “fit instrument to begin this wilderness work.” Before <sup>1628.</sup> June 28. June came to an end, he was sent over as governor, assisted by a few men, having his wife and family for the companions of his voyage, the hostages of his irrevo- Sept. 13. cable attachment to the New World. Arriving in safety in September, he united his own party and those who were formerly planted there into one body, which counted in all not much above fifty or sixty persons. With these, he founded the oldest town in the colony, soon to be called Salem ; and extended some super- vision over the waters of Boston harbor, then called Massachusetts Bay, near which the lands were “counted the paradise of New England.” At Charlestown, an English- man, one Thomas Walford, a blacksmith, dwelt in a thatched and palisaded cabin. William Blackstone, an Episcopal clergyman, a courteous recluse, gifted with the impatience of restraint which belongs to the pioneer, had planted himself on the opposite peninsula ; the island now known as East Boston was occupied by Samuel Maverick, son of a pious non-conformist minister of the west of England, himself a prelatist. At Nantasket and further south, stragglers lingered near the seaside, attracted by the gains of a fishing station and a petty trade in beaver. The Puritan ruler revisited the remains of Morton’s unruly company in what is now Quincy, rebuked them for their profane revels, and admonished them “to look there should be better walking.”

After the departure of the emigrant ship from England, the company, counsellec by White, an eminent lawyer, and supported by Lord Dorchester, better known as Sir Dudley Carleton, who, in December, became secretary of state,

obtained from the king a confirmation of their grant. It was the only way to secure the country as a part of his dominions; for the Dutch were already trading in the Connecticut River; the French claimed New England, as within the limits of New France; and the prelatical party, which had endeavored again and again to colonize the coast, had tried only to fail. Before the news reached London of Endecott's arrival, the number of adventurers was much enlarged; on the second of March, 1629,  
1629. an offer of "Boston men," that promised good to the plantation, was accepted; and on the fourth of the same month, a few days only before Charles I., in a public state paper, avowed his purpose of reigning without a parliament, the broad seal of England was put to the letters patent for Massachusetts.

The charter, which was cherished for more than half a century as the most precious boon, constituted a body politic by the name of the Governor and Company of the Massachusetts Bay in New England. The administration of its affairs was intrusted to a governor, deputy, and eighteen assistants, who were annually, on the last Wednesday of Easter term, to be elected by the freemen or members of the corporation, and to meet once a month or oftener "for despatching such businesses as concerned the company or plantation." Four times a year, the governor, assistants, and all the freemen were to be summoned to "one great, general, and solemn assembly;" and these "great and general courts" were invested with full powers to choose and admit into the company so many as they should think fit, to elect and constitute all requisite subordinate officers, and to make laws and ordinances for the welfare of the company and for the government of the lands and the inhabitants of the plantation; "so as such laws and ordinances be not contrary and repugnant to the laws and statutes of the realm of England."

"The principle and foundation of the charter of Massachusetts," wrote Charles II., at a time when he had Clarendon for his adviser, "was the freedom of liberty of conscience." The governor, or his deputy, or two of

the assistants, was empowered, but not required, to administer the oaths of supremacy and allegiance to every person who should go to inhabit the granted lands; and as the statutes, establishing the common prayer and spiritual courts, did not reach beyond the realm, the silence of the charter respecting them released the colony from their binding power. The English government did not foresee how wide a departure from English usages would grow out of the emigration of Puritans to America; but, as conformity was not required of the new commonwealth, the character of the times was a guarantee that the immense majority of emigrants would be fugitives who scrupled compliance with the common prayer. The prelatical party

had no motive to emigrate: it was Puritanism, almost 1629. alone, that would pass over; and freedom of Puritan

worship was necessarily the purpose and the result of the colony. The proceedings of the company, moreover, did not fall under the immediate supervision of the king, and did not require his assent to render them valid; so that self-direction, in ecclesiastical as well as civil affairs, passed to the patentees, subject only to conflicts with the undefined prerogative of the king, and the rising claim to paramount legislative authority by parliament.

The company was authorized to transport to its American territory any persons, whether English or foreigners, who would go willingly, would become lieges of the English king, and were not restrained "by especial name;" and they were encouraged to do so by a promise of favor to the commerce of the colony with foreign parts, and a total or partial exemption from duties for seven and for twenty-one years. If the pretension to a right of imposing duties after that limited time was not renounced, it was at least declared that the emigrants and their posterity should ever be considered as natural born subjects, entitled to all English liberties and immunities.

The political rights of the colonists were deemed by King Charles no further worthy of his consideration; the corporate body alone was to decide what liberties they should enjoy. All ordinances published under its seal

were to be implicitly obeyed. Full legislative and executive authority was conferred not on the future inhabitants of New England, but on the company, of which the emigrants could not be active members so long as its meetings were held in England. Yet, as if by design, the place for holding its courts was not specially appointed. What if the corporation should admit the emigrants to be freemen, and call a meeting beyond the Atlantic? What if the governor, deputy, assistants, and freemen should transfer themselves and their patent to Massachusetts, and, 1629 after thus breaking down the distinction between the colony and the corporation, by a daring construction of their powers under the charter erect an independent representative government?

The charter had been granted in March; in April, the new embarkation was far advanced. The local government temporarily established for Massachusetts was to consist of a governor and councillors, of whom eight out of thirteen were appointed by the corporation in England; three were to be named by these eight; and, to complete the number, the old planters who intended to remain were "to choose two of the discreetest men among themselves."

As the propagating the gospel was, by the free profession of the company, their aim in settling the plantation, they were careful to make plentiful provision of godly ministers; all "of one judgment, and fully agreed on the manner how to exercise their ministry." One of them was Samuel Skelton, of Clare Hall, Cambridge, from whose faithful preachings Endecott had formerly received much good; a friend to the utmost equality of privileges in church and state: another was the able, reverend, and grave Francis Higginson, of Jesus College, Cambridge, commended for his worth by Isaac Johnson, the friend of Hampden. Deprived of his parish in Leicester for non-conformity, he received the invitation to conduct the emigrants as a call from Heaven.

Two other ministers were added, that there might be enough, not only to build up those of the English nation, but also to "wynne the natives to the Christian faith." "If any of the salvages," such were the instructions to Endecott,

uniformly followed under the succeeding changes of government, "pretend right of inheritance to all or any part of the lands granted in our patent, endeavor to purchase their tittle, that we may avoid the least scruple of intrusion." "Particularly publish that no wrong or injury be offered to the natives." In pious sincerity, the company desired to redeem these wrecks of human nature; the colony seal was an Indian erect, with an arrow in his right hand, and the motto, "Come over and help us,"—a device of which the appropriateness has been lost by the modern substitution of the line of Algernon Sidney.

The passengers for Salem included six shipwrights, and an experienced surveyor, who was to give advice on the proper site for a fortified town, and with Samuel Sharpe, master-gunner of ordnance, was to muster all such as lived under the government, both planters and servants, and at appointed times to exercise them in the use of arms. A great store of cattle, horses, and goats was put on ship-board. Before sailing, servants of ill life were discharged. "No idle drone may live amongst us," was the spirit as well as the law of the dauntless community. As Higginson and his companions were receding from the Land's End, he called his children and others around him to look for the last time on their native country, not as the scene of sufferings from intolerance, but as the home of their fathers, and the dwelling-place of their friends. They did not say, "Farewell, Babylon! farewell, Rome!" but "Farewell, dear England!" During the voyage, they "constantly served God, morning and evening, by reading and expounding a chapter in the Bible, singing and prayer." On "the sabbath, they added preaching twice, and catechising;" and twice they "faithfully" kept "solemn fasts." The passage was "pious and Christian-like," for even "the ship-master and his religious company set their eight and twelve o'clock watches with singing a psalm and with prayer that was not read out of a book."

In the last days of June, the band of two hundred <sup>1629.</sup> arrived at Salem, where conscience was no more to be wounded by the "corruptions of the English church."

They found eight or ten pitiful hovels, one larger tenement for the governor, and a few cornfields, as the only proofs that they had been preceded by their countrymen. The old and new planters, without counting women and children, formed a body of about three hundred, of whom the larger part were "godly Christians, helped hither by Isaac Johnson and other members of the company, to be employed in their work for a while, and then to live of themselves."

To anticipate the intrusion of John Oldham, who was minded to settle himself on Boston Bay, pretending a title to much land there by a grant from Robert Gorges, Endecott with all speed sent a large party, accompanied by a minister, to occupy Charlestown. On the neck of land, which was full of stately timber, with the leave of Sagamore John, the petty chief who claimed dominion over it, Graves, the surveyor, employed some of the servants of the company in building a "great house," and modelled and laid out the form of the town, with streets about the hill.

To the European world, the few tenants of the huts and cabins at Salem were too insignificant to merit notice; to themselves, they were chosen emissaries of God; outcasts from England, yet favorites with Heaven; destitute of security, of convenient food, and of shelter, and yet blessed as instruments selected to light in the wilderness the beacon of pure religion. The emigrants were not so much a body politic as a church in the wilderness; seeking, under a visible covenant, to have fellowship with God, as a family of adopted sons.

"The governor was moved to set apart the twentieth of July to be a solemn day of humiliation, for the choyce of a pastor and teacher at Salem." After prayer and preaching, "the persons thought on," presenting no claim founded on their ordination in England, acknowledged a twofold calling: the inward, which is of God, who moves the heart and bestows fit gifts; the outward, which is from a company of believers joined in covenant, and allowing to every member a free voice in the election of its officers. The vote was then taken by each one's writing in a note the name of his choice. Such is the origin of the use of the

ballot on this continent ; in this manner, Skelton was chosen pastor and Higginson teacher. Three or four of the gravest members of the church then laid their hands on Skelton with prayer, and in like manner on Higginson : so that "these two blessed servants of the Lord came in at the door, and not at the window ;" by the act of the congregation, and not by the authority of a prelate. A day in August 1629. was appointed for the election of ruling elders and Aug. 6. deacons. Thus the church, like that of Plymouth, was self-constituted, on the principle of the independence of each religious community. It did not ask the assent of the king, or recognise him as its head ; its officers were set apart and ordained among themselves ; it used no liturgy ; it rejected unnecessary ceremonics, and reduced the simplicity of Calvin to a still plainer standard. The motives which controlled its decisions were so deeply seated, that its practices were repeated spontaneously by Puritan New England.

There were a few at Salem by whom the new system was disapproved ; and in John and Samuel Browne they found able leaders. Both were members of the colonial council ; both were reputed "sincere in their affection for the good of the plantation ;" they had been specially recommended to Endecott by the corporation in England ; and one of them, an experienced lawyer, had been a member of the board of assistants. They refused to unite with the public assembly, and gathered a company, in which "the common prayer worship" was upheld. But should the emigrants, thus the colonists reasoned, give up the purpose for which they had crossed the Atlantic ? Should the success of the colony be endangered by a breach of its unity ; and the authority of its government overthrown by the confusion of an ever recurring conflict ? They deemed the coexistence of their liberty and of prelacy impossible : anticipating invasions of their rights, they feared the adherents of the establishment, as spies in the camp ; and the form of religion from which they had suffered was repelled, not as a sect, but as a tyranny. "You are separatists," said the Brownes, in self-defence, "and you will shortly be Anabaptists."

“We separate,” answered the ministers, “not from the church of England, but from its corruptions. We came away from the common prayer and ceremonies, in our native land, where we suffered much for non-conformity; in this place of liberty, we cannot, we will not, use them. Their imposition would be a sinful violation of the worship of God.” The supporters of the liturgy were in their turn rebuked as separatists; their plea was reprobated as sedition, their worship forbidden as a mutiny; and the Brownes were sent back to England, as men “factious and evil conditioned,” who could not be suffered to remain within the limits of the grant, because they would not be conformable to its government. Thus was Episcopacy professed in Massachusetts, and thus was it exiled.

The Brownes, on their arrival in England, raised rumors of scandalous and intemperate speeches uttered by the ministers in their public sermons and prayers, and of rash innovations begun and practised in the civil and ecclesiastical government. The returning ships also carried with them numerous letters from the emigrants, which were eagerly sought for and widely read. So deeply was the English people touched with sympathy for the young colony that within a few months three editions were published of the glowing description of New England by Higginson.

For the concession of the Massachusetts charter seemed to the Puritans like a summons from Heaven, inviting them to America. There they might profess the gospel in its spotless simplicity, and the solitudes of nature would protect their devotions. England, by her persecutions, proved herself weary of her inhabitants, who were now esteemed more vile than the earth on which they trod. 1629 Habits of expense degraded men of moderate fortune; and the schools, which should be fountains of living waters, had become corrupt. The New World shared in the providence of God; it had claims, therefore, to the benevolence and exertions of man. What nobler work than to abandon the comforts of England, and plant a church without a blemish where it might spread over a continent?

But was it right, a scrupulous conscience demanded, to

fly from persecutions? Yes, they answered, for persecutions might lead their posterity to abjure the truth. The certain misery of their wives and children was the most gloomy of their forebodings; but a stern sense of duty hushed the alarms of affection, and set aside all consideration of physical evils as the fears of too carnal minds. Respect for the rights of the natives offered an impediment more easily removed; much of their land had been desolated by the plague, and their good leave might be purchased. The ill success of other plantations could not chill the rising enthusiasm; former enterprises had aimed at profit; the present object was purity of religion; the earlier settlements had been filled with a lawless multitude; it was now proposed to form a "peculiar government," and to colonize "THE BEST." Such were the "Conclusions," which were privately circulated among the Puritans of England.

At a general court, held on the twenty-eighth of 1629.

July, 1629, Matthew Cradock, governor of the company, who had engaged himself beyond all expectation in the business, following out what seems to have been the early design, proposed "the transfer of the government of the plantation to those that should inhabit there." At the offer of freedom from subordination to the company in England, several "persons of worth and quality," wealthy commoners, zealous Puritans, were confirmed in the desire of founding a new and a better commonwealth beyond the Atlantic, even though it might require the sale of their hereditary estates, and hazard the inheritance of their children. To his father, who was the most earnest of them all, the younger Winthrop, then about four-and-twenty, wrote cheeringly: "I shall call that my country where I may most glorify God, and enjoy the presence of my dearest friends. Therefore herein I submit myself to God's will and yours, and dedicate myself to God and the company, with the whole endeavors, both of body and mind. The Conclusions which you sent down are unanswerable; and it cannot but be a prosperous action which is so well allowed by the judgments of God's prophets, undertaken by so religious and wise worthies in Israel, and indented to God's glory in so special a service."

On the twenty-sixth of August, at Cambridge, in England, twelve men, of large fortunes and liberal culture, among whom were John Winthrop, Isaac Johnson, Thomas Dudley, Richard Saltonstall, bearing in mind that the adventure could grow only upon confidence in each other's fidelity and resolution, bound themselves in the presence of God, by the word of a Christian, that if, before the end of September, an order of the court should legally transfer the whole government, together with the patent, they would themselves pass the seas to inhabit and continue in New England. Two days after this covenant had been executed, the subject was again brought before the court; a serious and long continued debate ensued, and on the twenty-ninth of August a general consent appeared, by the erection of hands, that "the government and patent should be settled in New England." 1629.

This vote, by which the commercial corporation became the germ of an independent commonwealth, was simply a decision of the question where the future meetings of the company should be held; it was sanctioned by the best legal advice; its lawfulness was at the time not questioned by the privy council; at a later day, was expressly affirmed by Sawyer, the attorney-general; and, in 1677, the chief-justices Rainsford and North still described the "charter as making the adventurers a corporation upon the place." Similar patents were granted by the Long Parliament and Charles II., to be executed in Rhode Island and Connecticut; and Baltimore and Penn had an undisputed right to reside on their domains. The removal of the place of holding the courts from London to the Bay of Massachusetts changed nothing in the relations of the company to the crown, and it conferred no franchise or authority on emigrants who were not members of the company; it would give them a present government, but the corporate body and their successors, wherever they were to meet, retained the chartered right of making their own selection of the persons whom they would admit to the freedom of the company. The conditions on which the privilege should be granted would control the political character of Massachusetts.

At a very full general court, convened on the twentieth of October for the choice of new officers out of those 1629. who were to join the plantation, John Winthrop, of Groton in Suffolk, of whom "extraordinary great commendations had been received both for his integrity and sufficiency, as being one altogether well fitted and accomplished for the place of governor," was by election of hands elected to that office for one year from that day; and with him were joined a deputy and assistants, of whom nearly all proposed to go over. The greatness of the undertaking brought a necessity for a supply of money. It was resolved that the business should be proceeded in with its first intention, which was chiefly the glory of God; and to that purpose its meetings were sanctified by the prayers and guided by the advice of Archer and Nye, two faithful ministers in London. Of the old stock of the company, two thirds had been lost; the remainder, taken at its true value, with fresh sums adventured by those that pleased, formed a new stock, which was to be managed by ten undertakers, five chosen out of adventurers remaining in England, and five out of the planters. The undertakers, receiving privileges in the fur-trade and in transportation, assumed all engagements and charges, and after seven years were to divide the stock and profits; but their privileges were not asserted, and nine tenths of the capital were sunk in the expenses of the first year. There was nothing to show for the adventure but the commonwealth which it helped to found. Of ships for transporting passengers, Cradock furnished two. The large ship, the "Eagle," purchased by members of the company, took the name of "Arbella," from a sister of the Earl of Lincoln, wife to Isaac Johnson, who was to go in it to the untried sorrows of the wilderness. The corporation, which had not many more than one hundred and ten members, could not meet the continual outlays for colonization; another common stock was therefore raised from such as bore good affection to the plantation, to defray public charges, such as maintenance of ministers, transportation of poor families, building of churches and fortifications. To the various classes of contributors and emigrants, frugal grants of land promised

some indemnity. In this manner, by the enterprise of the ten undertakers and other members of the company, especially of those who were ship-owners, by the contributions of Puritans in England, but mainly by the resources of the emigrants themselves, there were employed, during the season of 1630, seventeen vessels, which brought over not far from a thousand souls, beside horses, kine, goats, and all that was most necessary for planting, fishing, and ship-building.

As the hour of departure drew near, the hearts of some even of the strong began to fail. On the eighteenth of March, it became necessary at Southampton to elect three substitutes among the assistants; and, of these three, one never came over. Even after they had embarked, a court was held on board the "Arbella," and Thomas Dudley was chosen deputy governor in the place of Humphrey, who stayed behind. It was principally the calm decision of Winthrop which sustained the courage of his companions. In him a yielding gentleness of temper, and a never failing desire for unity and harmony, were secured against weakness by deep but tranquil enthusiasm. His nature was touched by the sweetest sympathies of affection for wife, children, and associates; cheerful in serving others and suffering with them, liberal without repining, helpful without reproaching, in him God so exercised his grace that he discerned his own image and resemblance in his fellow-man, and cared for his neighbor like himself. He was of a sociable nature; so that "to love and be beloved was his soul's paradise," and works of mercy were the habit of his life. Parting from affluence in England, he unrepiningly went to meet impoverishment and premature age for the welfare of Massachusetts. His lenient benevolence tempered the bigotry of his companions, without impairing their resoluteness. An honest royalist, averse to pure democracy, yet firm in his regard for existing popular liberties; in his native parish, a conformist, yet wishing for "gospel purity;" in America, mildly aristocratic, advocating a government of "the least part," yet desiring that part to be "the wiser of the best;" disinterested, brave, and conscientious,

— his character marks the transition of the reformation into virtual republicanism. The sentiment of loyalty, which it was still intended to cherish, gradually yielded to the unobstructed spirit of civil freedom.

England rung from side to side with the “general 1630. rumor of this solemn enterprise.” On leaving the Isle of Wight, Winthrop and the chief of his fellow passengers on board the “Arbella,” including the ministers, bade an affectionate farewell “to the rest of their brethren in and of the church of England.” “Reverend fathers and brethren,” such was their address to them, “howsoever your charitie may have met with discouragement through the misreport of our intentions, or the indiscretion of some amongst us, yet we desire you would be pleased to take notice that the principals and body of our company esteem it our honour to call the church of England, from whence wee rise, our deare mother, and cannot part from our native countrie, where she specially resideth, without much sadnes of heart and many tears in our eyes; blessing God for the parentage and education, as members of the same body, and, while we have breath, we shall sincereley indeavour the continuance and abundance of her welfare.

“Be pleased, therefore, reverend fathers and brethren, to helpe forward this worke now in hand; which, if it prosper, you shall bee the more glorious. It is a usuall exercise of your charity to recommend to the prayers of your congregations the straights of your neighbours: do the like for a church springing out of your owne bowels; pray without ceasing for us, who are a weake colony from yourselves.

“What we intreat of you that are ministers of God, that we crave at the hands of all the rest of our brethren, that they would at no time forget us in their private solicitations at the Throne of Grace. If any, through want of cleare intelligence of our course, or tenderness of affection towards us, cannot conceive so well of our way as we could desire, we would intreat such not to desert us in their prayers, and to express their compassion towards us.

“What goodness you shall extend to us, wee, your breth-

ren in Christ Jesus, shall labour to repay; wishing our heads and hearts may be as fountains of tears for your everlasting welfare, when wee shall be in our poore cottages in the wildernes, overshadowed with the spirit of supplication, through the manifold necessities and tribulations which may not altogether unexpectedly, nor, we hope, unprofitably befall us."

About seven hundred persons or more—most of them Puritans, inclining to the principles of the Independents; not conformists, but not separatists; many of them men of high endowments and large fortune; scholars, well versed in the learning of the times; clergymen, who ranked among the best educated and most pious in the realm—embarked with Winthrop in eleven ships, bearing with them the charter which was to be the warrant of their liberties. The land was to be planted with a noble vine, wholly of the right seed. The principal emigrants were a community of believers, professing themselves to be fellow-members of Christ; not a school of philosophers, proclaiming universal toleration and inviting associates without regard to creed. They desired to be bound together in a most intimate and equal intercourse, for one and the same great end. They knew that they would be as a city set upon a hill, and that the eyes of all people were upon them. Reverence for their faith led them to pass over the vast seas to the good land of which they had purchased the exclusive possession, with a charter of which they had acquired the entire control, for the sake of reducing to practice the system of religion and the forms of civil liberty, which they cherished more than life itself. They constituted a corporation to which they themselves might establish the terms of admission. They kept firmly in their own hands the key to their asylum, and were resolved on closing its doors against the enemies of its unity, its safety, and its peace.

"The worke wee have in hand," these are Win- 1630. throp's words on board the "Arbella" during the passage, "is by a mutuall consent, through a speciaall overruling Providence, and a more than ordinary approbation of the churches of Christ, to seeke out a place of cohabitation and

consorteshipp under a due forme of government both civil and ecclesiastical. For this wee are entered into covenant with God ; for this wee must be knitt together as one man, allways having before our eyes our commission as members of the same body. Soc shall wee keepe the unitie of the spirit in the bond of peace. The Lord will be our God, and delight to dwell among us, as his owne people ; wee shall see much more of his wisdome, power, goodness, and truthe, than formerly wee have been acquainted with ; hee shall make us a prayse and glory, that men shall say of succeeding plantations, ‘The Lord make it likely that of New England.’”

1630. After sixty-one days at sea, the “Arbella” came in sight of Mount Desert ; on the tenth of June, the White Hills were descried afar off ; near the Isle of Shoals and Cape Ann, the sea was enlivened by the shallop of fishermen ; and on the twelfth, as the ship came to anchor outside of Salem harbor, it was visited by William Peirce, of the “Lyon,” whose frequent voyages had given him experience, as a pilot on the coast. Winthrop and his companions came full of hope ; they found the colony in an “unexpected condition” of distress. Above eighty had died the winter before. Higginson himself was wasting under a hectic fever ; many others were weak and sick ; all the corn and bread among them was hardly a fit supply for a fortnight. The survivors of one hundred and eighty servants, who had been sent over in the two years before at a great expense, instead of having prepared a welcome, thronged to the new comers to be fed ; and were set free from all engagements, for their labor, great as was the demand for it, was worth less than their support. Famine threatened to seize the emigrants as they stepped on shore ; and it soon appeared necessary for them, even at a ruinous expense, to send the “Lyon” to Bristol for food.

To seek out a place for their plantation, since Salem pleased them not, Winthrop, on the seventeenth of June, sailed into Boston harbor. The west country men, who, before leaving England, had organized their church with

Maverick and Warham for ministers, and who in a few years were to take part in calling into being the commonwealth of Connecticut, were found at Nantasket, where they had landed just before the end of May. 1630. Winthrop ascended the Mystic a few miles, and on the nineteenth took back to Salem a favorable report of the land on its banks. Dudley and others, who followed, preferred the country on the Charles River at Watertown. By common consent, early in the next month the removal was made, with much cost and labor, from Salem to Charlestown. But, while drooping with toil and sorrow, fevers consequent on the long voyage, and the want of proper food and shelter, twelve ships having arrived, the colonists kept the eighth of July as a day of thanksgiving. The emigrants had intended to dwell together, but in their distress they planted where each was inclined. A few remained at Salem; others halted at the Saugus, and founded Lynn. The governor was for the time at Charlestown, where the poor "lay up and down in tents and booths round the Hill." On the other side of the river, the little peninsula, scarce two miles long by one broad, marked by three hills, and blessed with sweet and pleasant springs, safe pastures, and land that promised "rich cornfields and fruitful gardens," attracted, among others, William Coddington of Boston in England, who, in friendly relations with William Blackstone, built the first good house there, even before it took the name which was to grow famous throughout the world. Some planted on the Mystic, in what is now Malden. Others, with Sir Richard Saltonstall and George Phillips, "a godly minister specially gifted, and very peaceful in his place," made their abode at Watertown; Pynchon and a few began Roxbury; Ludlow and Rossiter, two of the assistants, with the men from the west of England, after wavering in their choice, took possession of Dorchester Neck, now South Boston. The dispersion of the company was esteemed a grievance; but it was no time for crimination or debate, and those who had health made haste to build. Winthrop himself, "givinge good example to all the planters, wore plaine appell, drank ordinarily water, and,

when he was not conversant about matters of justice, put his hand to labour with his servants."

The enjoyment of the gospel as the dearest covenant that can be made between God and man was the chief 1630. object of the emigrants. On Friday, the thirtieth of July, a fast was held at Charlestown; and, after prayers and preaching, Winthrop, Dudley, Isaac Johnson, and Wilson united themselves by covenant into one "congregation," as a part of the visible church militant. On the next Lord's Day, others were received; and the members of this body could alone partake of the Lord's Supper, or present their children for baptism. They were all brothers and equals; they revered, each in himself, the dignity of God's image, and nursed a generous reverence for one another; bound to a healing superintendence over each other's lives, they exercised no discipline to remove evil out of the inmost soul, except the censure of the assembly of the faithful, whom it would have been held grievous to offend. This church, the seminal centre of the ecclesiastical system of Massachusetts, was gathered while Higginson was yet alive; on the sixth of August, he gave up the ghost with joy, for the future greatness of New England, and the coming glories of its many churches, floated in cheerful visions before his eyes. When, on the twenty-third of August, the first court of assistants on this side the water was held at Charlestown, how the ministers should be maintained took precedence of all other business; and it was ordered that houses should be built for them, and support provided at the common charge. Four days later, the men "of the congregation" kept a fast, and, after their own free choice of John Wilson for their pastor, they themselves set him apart to his office by the imposition of hands, yet without his renouncing his ministry received in England. In like manner, the ruling elder and deacons were chosen and installed. Thus was constituted the body which, crossing the Charles River, became known as the First Church of Boston. It embodied the three great principles of Congregationalism: a right faith attended by a true religious experience as the requisite qualifications for membership; the equality of all believers,

including the officers of the church; the equality of the several churches, free from the jurisdiction of ecclesiastical court or bishop, free from the jurisdiction of one church over another, free from the collective authority of them all.

The civil government was exercised with mildness and impartiality, yet with determined vigor. Justices of the peace were commissioned with the powers of those in England. On the seventh of September, names <sup>1630.</sup> were given to Dorchester, Watertown, and Boston, which thus began their career as towns under sanction of law. Quotas were settled and money levied. The interloper who dared to "confront" the public authority was sent to England, or enjoined to depart out of the limits of the patent.

As the year for which Winthrop and the assistants had been chosen was coming to an end, on the nineteenth of October, a general court, the first in America, was held at Boston. Of members of the company, less than twenty had come over. One hundred and eight inhabitants, some of whom were old planters, were now, at their desire, admitted to be freemen. The former officers of government were continued: as a rule for the future, "it was propounded to the people, and assented unto by the erection of hands, that the freemen should have power to choose assistants, when any were to be chosen; the assistants to choose from among themselves the governor and his deputy." The rule implied a strong reluctance to leave out of the board any person once elected magistrate; and perhaps also revealed a natural anxiety respecting the effect of the large creation of freemen which had just been made, and by which the old members of the company had abdicated their controlling power in the court; but, as it was in conflict with the charter, it could have no permanence.

During these events, sickness delayed the progress of the settlements, and death often withdrew the laborer from the fruit of his exertions. Every hardship was encountered. The emigrants, miserably lodged, beheld their friends "weekly, yea, almost daily, drop away before their eyes;" in a country abounding in secret fountains, they pined for

the want of good water. Many of them had been accustomed to plenty and ease, the refinements, and the conveniences of luxury. Woman was there to struggle against unforeseen hardships, unwonted sorrows; the men, who defied trials for themselves, were miserable at beholding those whom they cherished dismayed by the horrors which encompassed them. The virtues of the lady Arbella Johnson could not break through the gloom; and, as she had been ill before her arrival, grief hurried her to the grave. Her husband, a wise and holy man, in life "the greatest furtherer of the plantation," and by his bequests a large benefactor of the infant state, sank under disease and afflictions; but "he died willingly and in sweet peace," making a "most godly end." Winthrop lost a son, who left a widow and children in England. A hundred or more, some of them of the board of assistants, men who had been trusted as the inseparable companions of the common misery or the common success, disheartened by the scenes of woe, and dreading famine and death, deserted Massachusetts, and sailed for England; while Winthrop remained, "parent-like, to distribute his goods to brethren and neighbors."

1630. Before December, two hundred, at the least, had died.

Yet, as the brightest lightnings are kindled in the darkest clouds, the general distress did but augment the piety and confirm the fortitude of the colonists. Their earnestness was softened by the mildest sympathy; while trust in Providence kept guard against weakness and despair. Not a trace of repining appears in their records; the congregations always assembled at the stated times, whether in the open fields or under the shade of an ancient oak; in the midst of want, they abounded in hope; in the solitudes of the wilderness, they believed themselves watched over by an omnipresent Father. Honor is due not less to those who perished than to those who survived: to the martyrs, the hour of death was an hour of triumph such as is never witnessed in more tranquil seasons. For that placid resignation, which diffuses grace round the bed of sickness, and makes death too serene for sorrow and too beautiful for fear, no one was more remarkable than the daughter

of Thomas Sharpe, whose youth and sex and unequalled virtues won the eulogies of the austere Dudley. Even children caught the spirit of the place; awaited the impending change in the tranquil confidence of faith, and went to the grave full of immortality. The survivors bore all things meekly, "remembering the end of their coming hither." "We here enjoy God and Jesus Christ," wrote Winthrop to his wife, whom pregnancy had detained in England, "and is not this enough? I thank God I like so well to be here, as I do not repent my coming. I would not have altered my course, though I had foreseen all these afflictions. I never had more content of mind."

The supply of bread was nearly exhausted; when on the fifth of February, 1631, after a long and stormy passage, the timely arrival of the "Lyon" from Bristol, laden with provisions, caused public thanksgiving through all the plantations. Yet the ship brought but twenty passengers, and quenched all hope of immediate accessions. In 1631, ninety only came over, fewer than had gone back the preceding year; in 1632, no more than two hundred and fifty arrived. Men waited to learn the success of the early adventurers. Those who had deserted excused their cowardice by defaming the country; and, moreover, ill-willers to New England were already railing against its people as separatists from the established church and traitors to the king.

The colony, now counting not many more than one thousand souls, while it developed its principles with unflinching courage, desired to avoid giving scandal to the civil and ecclesiastical government in England. Wilson was on the point of returning to bring over his wife; his church stood in special need of a teacher in his absence, and a young minister, "lovely in his carriage," "godly and zealous, having precious gifts," opportunely arrived in the "Lyon." It was Roger Williams. "From his childhood, the Father of lights and mercies touched his soul with a love to himself, to his only-begotten Son, the true Lord Jesus, and his holy Scriptures." In the forming period of his life, he had been employed by Sir Edward Coke, and his natural

inclination to study and activity was spurred on by the instruction and encouragement of the statesman, who was then "in his intrepid and patriotic old age, the strenuous asserter of liberty on the principles of ancient laws," and by his writings, speeches, and example, lighted the zealous enthusiast on his way. Through the affection of the great lawyer, who called him endearingly his son, "the youth," in whom all saw good hope, was sent to the Charter House in 1621, and passed with honor from that school to Pembroke College, in Cambridge, where he took a degree; but his clear mind went far beyond his patron in his persuasions against bishops, ceremonics, and the national church; and he was pursued by Laud out of his native land. He was not much more than thirty years of age; but his mind had already matured a doctrine which secures him an immortality of fame, as its application has given religious peace to the American world. A fugitive from English persecution, he had revolved the nature of intolerance, and had arrived at its only effectual remedy, the sanctity of conscience. In soul matters, he would have no weapons but soul weapons.

The civil magistrate should restrain crime, but never 1631. control opinion; should punish guilt, but never violate inward freedom. The principle contained within itself an entire reformation of theological jurisprudence: it would blot from the statute-book the felony of non-conformity; would quench the fires that persecution had so long kept burning; would repeal every law compelling attendance on public worship; would abolish tithes and all forced contributions to the maintenance of religion; would give an equal protection to every form of religious faith; and never suffer the force of the government to be employed against the dissenters' meeting-house, the Jewish synagogue, or the Roman cathedral. In the unwavering assertion of his views, he never changed his position; the sanctity of conscience was the great tenet, which, with all its consequences, he defended, as he first trod the shores of New England; and, in his extreme old age, it was the last pulsation of his heart. The doctrine was a logical consequence of either of the two great distinguishing principles of the Reformation,

as well of justification by faith alone as of the equality of all believers; and it was sure to be one day accepted by the whole Protestant world. But it placed the young emigrant in direct opposition to the system of the founders of Massachusetts, who were bent on making the state a united body of believers.

On landing in Boston, Roger Williams found himself unable to join with its church members. He had separated from the establishment in England, which wronged conscience by disregarding its scruples; they were "an unseparated people," who refused to renounce communion with their persecutors; he would not suffer the magistrate to assume jurisdiction over the soul by punishing what was no more than a breach of the first table, an error of conscience or belief; they were willing to put the whole decalogue under the guardianship of the civil authority. The thought of employing him as a minister was therefore abandoned; and the church of Boston was, in Wilson's absence, commended to "the exercise of prophecy."

The death of Higginson had left Salem in want of a teacher; and in April it called Williams to that office. Winthrop and the assistants "marvelled" at the precipitate choice; and, by a letter to Endecott, they desired the church to forbear. The warning was heeded, and Roger Williams withdrew to Plymouth.

The government was still more careful to protect the privileges of the colony against "episcopal and malignant practices," of which a warning had been received from England. For that purpose, at the general court convened in May, after "the corn was set," an oath of fidelity was offered to the freemen, binding them "to be obedient and conformable to the laws and constitutions of this commonwealth, to advance its peace, and not to suffer any attempt at making any change or alteration of the government contrary to its laws." One hundred and eighteen of "the commonalty" took this oath; the few who refused were never "betrusted with any public charge or command." The old officers were again continued in office without change, but "the commons" asserted their right of annually adding or

removing members from the bench of magistrates. And a law of still greater moment, pregnant with evil and with good, at the same time narrowed the elective franchise: "To the end this body of the commons may be preserved of honest and good men, it was ordered and agreed that, for the time to come, no man shall be admitted to the freedom of this body politic, but such as are members of some of the churches within the limits of the same." Thus the polity became a theocracy; God himself was to govern his people; and the "saints by calling," whose names an immutable decree had registered from eternity as the objects of divine love, whose election had been visibly manifested by their conscious experience of religion in the heart, whose union was confirmed by the most solemn compact formed with Heaven and one another around the memorials of a crucified Redeemer, were, by the fundamental law of the colony, constituted the oracle of the divine will. An aristocracy was founded; not of wealth, but of those who had been ransomed at too high a price to be ruled by polluting passions, and had received the seal of divinity in proof of their fitness to do "the noblest and godliest deeds." Other states have confined political rights to the opulent, to free-holders, to the first-born; the Calvinists of Massachusetts, refusing any share of civil power to the clergy, established the reign of the visible church, a commonwealth of the chosen people in covenant with God.

The dangers apprehended from England seemed to require a union consecrated by the holiest rites. The public

mind of the colony was in other respects ripening for 1631. democratic liberty. It could not rest satisfied with leaving the assistants in possession of all authority, and of an almost independent existence; and the magistrates, with the exception of the passionate Ludlow, were willing to yield. It was therefore agreed, at the next general court, that the governor and assistants should be annually chosen. The people, satisfied with the recognition of their right, re-elected their former magistrates with silence and modesty. The germ of a representative government was already visible; each town was ordered to choose two men,

to appear at the next court of assistants, and concert a plan for a public treasury. The measure had become necessary; for a levy, made by the assistants alone, had already awakened alarm and opposition.

While a happy destiny was thus preparing for Massachusetts a representative government, relations with the natives were extended. In April, 1631, there came from the banks of the Connecticut the sagamore of the Mohegans, to extol the fertility of his country, and solicit an English plantation as a bulwark against the Pequods; in May, the nearer Nipmucks invoked the aid of the emigrants against the tyranny of the Mohawks; in July, the son of the aged Canonicus exchanged presents with the governor; and in August, Miantonomoh himself, the great warrior of the Narragansetts, the youthful colleague of Canonicus, became a guest at the board of Winthrop, and was present with the congregation at a sermon from Wilson.

To perfect friendship with the pilgrims, the governor of Massachusetts, with Wilson, pastor of Boston, repaired to Plymouth. From the south shore of Boston harbor, it was a day's journey; for they travelled on foot. In honor of the great event, Bradford and Brewster, the governor and elder of the old colony, came forth to meet them, and conduct them to the town, where they were kindly entertained and feasted. "On the Lord's Day, they did partake of the sacrament;" in the afternoon, a question was propounded for discussion; the pastor spoke briefly; the teacher prophesied; the governor of Plymouth, the elder, and others of the congregation, took part in the conference, which, by express desire, was closed by the guests from Boston. Thus was fellowship confirmed with Plymouth. From the Chesapeake, a rich freight of corn had already been received; and trade was begun with the Dutch at Hudson River.

These better auspices, and the invitations of Winthrop, won new emigrants from Europe. During the long summer voyage of the two hundred passengers, who freighted the "Griffin," three sermons a day beguiled

their weariness. Among them was Haynes, a man of very large estate, and larger affections; of a "heavenly" mind, and a spotless life; of rare sagacity, and accurate but unassuming judgment; by nature tolerant, ever a friend to freedom, ever conciliating peace; an able legislator; dear to the people by his benevolent virtues and his disinterested conduct. Then also came the most revered spiritual teachers of two commonwealths: the acute and subtile Cotton, the son of a Puritan lawyer; eminent at Cambridge as a scholar; quick in the nice perception of distinctions, and pliant in dialectics; in manner persuasive rather than commanding; skilled in the fathers and the schoolmen, but finding all their wisdom compactly stored in Calvin; deeply devout by nature as well as habit from childhood; hating heresy and still precipitately eager to prevent evil actions by suppressing ill opinions, yet verging towards a progress in truth and in religious freedom; an avowed enemy to democracy, which he feared as the blind despotism of animal instincts in the multitude, yet opposing hereditary power in all its forms; desiring a government of moral opinion, according to the laws of universal equity, and claiming "the ultimate resolution for the whole body of the people:" and Hooker, of vast endowments, a strong will, and an energetic mind; ingenuous in his temper, and open in his professions; trained to benevolence by the discipline of affliction; versed in tolerance by his refuge in Holland; choleric, yet gentle in his affections; firm in his faith, yet readily yielding to the power of reason; the peer of the reformers, without their harshness; the devoted apostle to the humble and the poor, severe towards the proud, mild in his soothings of a wounded spirit, glowing with the raptures of devotion, and kindling with the messages of redeeming love; his eye, voice, gesture, and whole frame animate with the living vigor of heart-felt religion; public-spirited and lavishly charitable; and, "though persecutions and banishments had awaited him as one wave follows another," ever serenely blessed with "a glorious peace of soul;" fixed in his trust in Providence, and in his adhesion to that cause

of advancing civilization, which he cherished always, even while it remained to him a mystery. This was he whom, for his abilities and services, his contemporaries placed "in the first rank" of men; praising him as "the one rich pearl, with which Europe more than repaid America for the treasures from her coast." The people to whom Hooker ministered had preceded him; as he landed, <sup>1633</sup> Sept 4. they crowded about him with their welcome. "Now I live," exclaimed he, as with open arms he embraced them, "now I live, if ye stand fast in the Lord."

Thus recruited, the little band in Massachusetts <sup>1634.</sup> grew more jealous of its liberties. "The prophets in exile see the true forms of the house." By a common impulse, the freemen of the towns chose deputies to consider in advance the duties of the general court. The charter plainly gave legislative power to the whole body of the freemen; if it allowed representatives, thought Winthrop, it was only by inference; and, as the whole people could not always assemble, the chief power, it was argued, lay necessarily with the assistants.

Far different was the reasoning of the people. To check the democratic tendency, Cotton, on the election day, preached to the assembled freemen against rotation in office. The right of an honest magistrate to his place was like that of a proprietor to his freehold. But the electors, now between three and four hundred in number, were bent on exercising "their absolute power," and, reversing the decision of the pulpit, chose a new governor and deputy. The mode of taking the votes was at the same time reformed; and, instead of the erection of hands, the ballot-box was introduced. Thus "the people established a reformation of such things as they judged to be amiss in the government."

It was further decreed that the whole body of the freemen should be convened only for the election of the magistrates: to these, with deputies to be chosen by the several towns, the powers of legislation and appointment were henceforward intrusted. The trading corporation was unconsciously become a representative democracy.

The law against arbitrary taxation followed. None but the immediate representatives of the people might dispose of lands or raise money. Thus early did Massachusetts echo the voice of Virginia, like deep calling unto deep. The state was filled with the hum of village politicians; "the freemen of every town in the Bay were busy in inquiring into their liberties and privileges." With the exception of the principle of universal suffrage, now so happily established, the representative democracy was as perfect two centuries ago as it is to-day. Even the magistrates, who acted as judges, held their office by the annual popular choice. "Elections cannot be safe there long," said the lawyer Lechford. The same prediction has been made these two hundred years. The public mind, ever in perpetual agitation, is still easily shaken, even by slight and transient impulses; but, after all vibrations, it follows the laws of the moral world, and safely recovers its balance.

To limit the discretion of the executive, of which the people was persistently jealous, they next demanded <sup>1635.</sup> May. a written constitution; and in May, 1635, a commission was appointed "to frame a body of grounds of laws in resemblance to a magna charta," to serve as a bill of rights, on which the ministers, as well as the general court, were to pass judgment. A year having passed without a report, the making of a draft of laws was intrusted to a larger committee, of which Cotton was a member. His colleagues remained inactive, but Cotton compiled in an exact method "all the judicial laws from God by Moses, so far as they were of moral, that is, of perpetual and universal equity;" and he urged the establishment of a "theocracy, God's government over God's people." But his code was never adopted. In March, 1638, the several towns were ordered before the coming June to deliver in writing to the governor the heads of the laws which they held to be necessary and fundamental; and, from these materials and their own wisdom, a numerous body, of whom Nathaniel Ward was one, were instructed to perfect the whole work.

The relative powers of the assistants and the deputies remained for nearly ten years the subject of discussion and contest. Both were elected by the people; the former by the whole colony, the latter by the several towns. The two bodies sat together in convention for the transaction of business; but, when their joint decision displeased the assistants, the latter claimed and exercised the further right of a separate negative vote on their joint proceedings. The popular branch grew impatient, and desired to overthrow the veto power; yet the authority of the patricians was for the time maintained, sometimes by wise delay, sometimes by "a judicious sermon."

The controversy had required the arbitrament of the elders; for the rock on which the state rested was religion; a common faith had gathered, and still bound the people together. They were exclusive, for they had come to the outside of the world for the privilege of living by themselves. Fugitives from persecution, they shrank from contradiction as from the approach of peril. And why should they open their asylum to their oppressors? Religious union was made the bulwark of the exiles against expected attacks from the hierarchy of England. The wide continent of America invited colonization; they claimed their own narrow domains for "the brethren." Their religion was their life; they welcomed none but its adherents; they could not tolerate the scoffer, the infidel, or the dissenter; and the whole people met together in their congregations. Such was the system, cherished as the stronghold of their freedom and their happiness. "The order of the churches and the commonwealth," wrote Cotton to friends in Holland, "is now so settled in New England by common consent, that it brings to mind the new heaven and new earth wherein dwells righteousness."

While the state was thus connecting by the closest bonds the energy of its faith with its form of government, Roger Williams, after remaining two years or a little more in Plymouth, accepted a second invitation to Salem. The ministers in the Bay and of Lynn used to meet once a fortnight at each other's houses, to debate some question

1633. of moment; at this, in November, 1633, Skelton and Williams took some exception, for fear the custom might grow into a presbytery or a superintendency, to the prejudice of the church's liberties; but such a purpose was disclaimed, and all were clear that no church or person can have power over another church. Not long afterwards, in January, 1634, complaints were made against Williams for a paper which he had written at Plymouth, to prove that a grant of land in New England from an English king could not be perfect, except the grantees "compounded with the natives." The opinion sounded like treason against the charter of the colony; Williams was willing that the offensive manuscript should be burned; and so explained its purport that the court, applauding his temper, declared "the matters not so evil as at first they seemed."

Yet his gentleness and forbearance did not allay a jealousy of his radical opposition to the established system of theocracy, which he condemned, because it plucked up the roots of civil society and brought all the strifes of the state into the garden and paradise of the church. The government avoided an explicit rupture with the church of England; Williams would hold no communion with it on account of its intolerance; "for," said he, "the doctrine of persecution for cause of conscience is most evidently and lamentably contrary to the doctrine of Christ Jesus." The magistrates insisted on the presence of every man at public worship; Williams reprobated the law; the worst statute in the English code was that which did but enforce attendance upon the parish church. To compel men to unite with those of a different creed, he regarded as an open violation of their natural rights; to drag to public worship the irreligious and the unwilling seemed only like requiring hypocrisy. "An unbelieving soul is dead in sin," such was his argument; and to force the indifferent from one worship to another "was like shifting a dead man into several changes of apparel." "No one should be bound to worship, or," he added, "to maintain a worship, against his own consent." "What!" exclaimed his antagonists, amazed

at his tenets; "is not the laborer worthy of his hire?" "Yes," replied he, "from them that hire him."

The magistrates were selected exclusively from the members of the church; with equal propriety, reasoned Williams, might "a doctor of physick or a pilot" be selected according to his skill in theology and his standing in the church.

It was objected to him that his principles subverted all good government. The commander of the vessel of state, replied Williams, may maintain order on board the ship, and see that it pursues its course steadily, even though the dissenters of the crew are not compelled to attend the public prayers of their companions.

But the controversy finally turned on the question of the rights and duty of magistrates to guard the minds of the people against corrupting influences, and to punish what would seem to them error and heresy. Magistrates, Williams protested, are but the agents of the people, or its trustees, on whom no spiritual power in matters of worship can ever be conferred, since conscience belongs to the individual, and is not the property of the body politic; and with admirable dialectics, clothing the great truth in its boldest and most general forms, he asserted that "the civil magistrate may not intermeddle even to stop a church from apostacy and heresy," "that his power extends only to the bodies and goods and outward estate of men." With corresponding distinctness, he foresaw the influence of his principles on society. "The removal of the yoke of soul oppression," to use the words in which, at a later day, he confirmed his early view, "as it will prove an act of mercy and righteousness to the enslaved nations, so it is of binding force to engage the whole and every interest and conscience to preserve the common liberty and peace."

The same magistrates who punished Eliot, the apostle of the Indian race, for censuring their measures, could not brook the independence of Williams; and the circumstances of the times seemed to them to justify their apprehensions. An intense jealousy was excited in England against Massachusetts; "members <sup>1634.</sup> <sub>Nov. 27.</sub> of the generall court received intelligence of some

episcopal and malignant practises against the country ;" and the magistrates on the one hand were careful to avoid all unnecessary offence to the English government, on the other were consolidating their own institutions, and even preparing for resistance. It was in this view that the free-man's oath was appointed, by which every freeman was obliged to pledge his allegiance, not to King Charles, but to Massachusetts. There was room for scruples on the subject ; and an English lawyer would have questioned the legality of the measure. The liberty of conscience, for

which Williams contended, denied the right of a compulsory imposition of an oath : when he was summoned before the court, he could not renounce his belief ; and his influence was such "that the government was forced to desist from that proceeding." To the magistrates, he seemed the ally of a civil faction ; to himself, he appeared only to make a frank avowal of the truth. Before the tribunals, he spoke with the distinctness of clear and settled convictions. He was fond of discussion ; and to the end of his life he was always ready for controversy, as the means "to bolt out the truth to the bran."

The court at Boston remained as yet undecided ; when the church of Salem,—those who were best acquainted with Williams,—taking no notice of the recent investigations, elected him their teacher. Immediately the ministers met together, and declared any one worthy of banishment who should obstinately assert that "the civil magistrate might not intermeddle even to stop a church from apostasy and heresy ;" the magistrates delayed action, only that a committee of divines might have time to repair to Salem and deal with Williams and with the church in a church way. Meantime, the people of Salem were blamed for their choice of a religious guide ; and a ~~plot~~ of land, to which they had a claim, was withheld from them as a punishment.

To the ministers Williams frankly but temperately explained his doctrines ; and he was armed at all points for their defence. As his townsmen had lost their lands in consequence of their attachment to him, it would have been

cowardice on his part to have abandoned them. In conjunction with the church, he wrote "letters of admonition unto all the churches whereof any of the magistrates were members, that they might admonish the magistrates of their injustice." The church members alone were freemen; Williams, in modern language, appealed to the people, and invited them to instruct their representatives to do justice to the citizens of Salem.

This last act seemed flagrant treason; and, at the next general court, Salem was disfranchised till an ample apology for the letter should be made. The town acquiesced in its wrongs, and submitted; not an individual remained willing to justify the letter of remonstrance; the church of Williams would not avow his great principle of the sanctity of conscience. Williams was left alone, absolutely alone. Anticipating the censures of the colonial churches, he declared himself no longer subjected to their spiritual jurisdiction. "My own voluntary withdrawing from all these churches, resolved to continue in persecuting the witnesses of the Lord, presenting light unto them, I confess it was mine own voluntary act; yea, I hope the act of the Lord Jesus, sounding forth in me the blast, which shall in his own holy season cast down the strength and confidence of those inventions of men." Summoned in October to appear before the general court, he avowed his convictions in the presence of the representatives of the state, "maintained the rocky strength of his grounds," and declared himself "ready to be bound and banished and even to die in New England," rather than renounce the opinions which had dawned upon his mind in the clearness of light. At a time when Germany was desolated by the implacable wars of religion; when even Holland could not pacify vengeful sects; when France was still to go through the fearful struggle with bigotry; when England was gasping under the despotism of intolerance; almost half a century before William Penn became an American proprietary; and two years before Descartes founded modern philosophy on the method of free reflection, Roger Williams asserted the great doctrine of intellectual liberty. It became his glory

1685.  
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to found a state upon that principle, and to stamp himself upon its rising institutions, in characters so deep that the impress has remained to the present day, and can never be erased without the total destruction of the work. The principles which he first sustained amidst the bickerings of a colonial parish, next asserted in the general court of Massachusetts, and then introduced into the wilds on 1844. Narragansett Bay, he soon found occasion to publish to the world, and to defend as the basis of the religious freedom of mankind; so that, borrowing the rhetoric employed by his antagonist in derision, we may compare him to the lark, the pleasant bird of the peaceful summer, that, "affecting to soar aloft, springs upward from the ground, takes his rise from pale to tree," and at last, surmounting the highest hills, utters his clear carols through the skies of morning. He was the first person in modern Christendom to assert in its plenitude the doctrine of the liberty of conscience, the equality of opinions before the law; and in its defence he was the harbinger of Milton, the precursor and the superior of Jeremy Taylor. For Taylor limited his toleration to a few Christian sects; the philanthropy of Williams compassed the earth. Taylor favored partial reform, commended lenity, argued for forbearance, and entered a special plea in behalf of each tolerable sect; Williams would permit persecution of no opinion, of no religion, leaving heresy unharmed by law, and orthodoxy unprotected by the terrors of penal statutes. Taylor clung to the necessity of positive regulations enforcing religion and eradicating error, like the poets, who first declare their hero to be invulnerable, and then clothe him in earthly armor; Williams was willing to leave Truth alone, in her own panoply of light, believing that if, in the ancient feud between Truth and Error, the employment of force could be entirely abrogated, Truth would have much the best of the bargain. It is the custom of mankind to award high honors to the successful inquirer into the laws of nature, to those who advance the bounds of human knowledge. We praise the man who first analyzed the air, or resolved water into its elements, or drew the lightning.

from the clouds; even though the discoveries may have been as much the fruits of time as of genius. A moral principle has a much wider and nearer influence on human happiness; nor can any discovery of truth be of more direct benefit to society than that which establishes a perpetual religious peace, and spreads tranquillity through every community and every bosom. If Copernicus is held in perpetual reverence, because, on his death-bed, he published to the world that the sun is the centre of our system; if the name of Kepler is preserved for his sagacity in detecting the laws of the planetary motion; if the genius of Newton has been almost adored for dissecting a ray of light, and weighing heavenly bodies as in a balance,—let there be for the name of Roger Williams a place among those who have advanced moral science and made themselves the benefactors of mankind.

But, if the opinion of posterity is no longer divided, 1635. the members of the general court of that day pronounced against him the sentence of exile, yet not by a very numerous majority. Some, who consented to his banishment, would never have yielded but for the persuasions of Cotton; and the judgment was vindicated, not as a punishment for opinion, or as a restraint on freedom of conscience, but because the application of the new doctrine to the construction of the patent, to the discipline of the churches, and to the "oaths for making tryall of the fidelity of the people," seemed about "to subvert the fundamental state and government of the country."

Winter was at hand; Williams obtained permission to remain till spring, intending then to begin a plantation in Narragansett Bay. But the affections of the people of Salem revived; they thronged to his house to hear him whom they were so soon to lose for ever; "many of the people were much taken with the apprehension of his godliness; his opinions were contagious; the infection spread widely. It was rumored that he could not safely be allowed to found a new state in the vicinity; it was therefore resolved to remove him to England in a ship that was just ready to set sail. In January, 1636, a warrant 1636. Jan.

was accordingly sent to him to come to Boston and embark.

For the first time, he declined the summons of the court. A piñace was sent for him; the officers repaired to his house; he was no longer there. Three days before, he had left Salem, in winter snow and inclement weather, of which he remembered the severity even in his late old age. "For fourteen weeks, he was sorely tost in a bitter season, not knowing what bread or bed did mean." Often in the stormy night he had neither fire, nor food, nor company; often he wandered without a guide, and had no house but a hollow tree. But he was not without friends. The same scrupulous respect for the rights of others, which had led him to defend the freedom of conscience, had made him the champion of the Indians. He had already learned their language so well that he could debate with them in their own dialect. During his residence at Plymouth, he had often been the guest of the neighboring sachems; and now, when he came in winter to the cabin of the chief of Pokanoket, he was welcomed by Massassoit; and "the barbarous heart of Canonicus, the chief of the Narragansetts, loved him as his son to the last gasp." "The ravens," he relates, "fed me in the wilderness." And, in requital for their hospitality, he was ever through his long life their friend and benefactor; the apostle of Christianity to them without hire, or weariness, or impatience at their idolatry; the pacifier of their own feuds; the guardian of their rights, whenever Europeans attempted an invasion of their soil.

He first began to build and plant at Seekonk. But Seekonk was found to be within the patent of Plymouth; on the other side of the water, the country opened in unappropriated beauty. "That ever-honored Governor Winthrop," says Williams, "privately wrote to me to steer my course to the Narragansett Bay, encouraging me from the freeness of the place from English claims or patents. I took his prudent motion as a voice from God."

In June, the lawgiver of Rhode Island, with five companions, embarked on the stream; a frail Indian canoe contained the founder of an independent state and its earli-

est citizens. Tradition has marked the spring near which they landed; it is the parent spot, the first inhabited nook of Rhode Island. To express unbroken confidence in the mercies of God, Williams called the place PROVIDENCE. "I desired," said he, "it might be for a shelter for persons distressed for conscience."

In his new abode, Williams could have less leisure for contemplation and study. "My time," he observes of himself, "was not spent altogether in spiritual labors; but day and night, at home and abroad, on the land and water, at the hoe, at the oar, for bread." Within two years, others fled to his asylum. The land which was occupied by Williams was within the territory of the Narragansett Indians. An Indian deed from Canonicus and Mian-<sup>1638</sup>  
tonomoh soon made him the undisputed possessor of Mar. 24.

an extensive domain; but he "always stood for liberty and equality, both in land and government." The soil became his "own, as truly as any man's coat upon his back;" and he "reserved to himself not one foot of land, not one tittle of political power, more than he granted to servants and strangers." "He gave away his lands and other estate to them that he thought were most in want, until he gave away all." He chose to found a commonwealth in an unmixed form, where the will of the greater number of the present householders or masters of families, and such others as they should admit into their town fellowship, should govern the state: yet "only in civil things;" God alone was respected as the Ruler of conscience. So long as the number of the inhabitants was small, public affairs were transacted by the monthly town-meeting. This first system had its decisive influence on the political history of Rhode Island. Had the territory of the state been large, the world would have been filled with wonder and admiration at the phenomena of its history.

The most touching trait in the founder of Rhode Island was his conduct towards those who had driven him out of their society. He says of them truly: "I did ever, from my soul, honor and love them, even when their judgment led them to afflict me." In his writings, he inveighs against

the spirit of intolerance, the doctrine of persecution, and never against his persecutors or the colony of Massachusetts. We shall presently behold him requite their severity by exposing his life at their request and for their benefit. It is not strange, then, if "many hearts were touched with relentings." The half-wise Cotton Mather concedes that many judicious persons confessed him to have had the root of the matter in him; and the immediate witnesses of his actions declared him, from "the whole course and tenor of his life and conduct, to have been one of the most disinterested men that ever lived, a most pious and heavenly-minded soul."

- Rhode Island was the offspring of Massachusetts; but her political connections were long influenced by the circumstances of her origin. The loss of the few emigrants who resorted to the new state was not sensibly felt in the 1634. parent colony; for the Bay of Massachusetts was already thronged with squadrons. When the first difficulties of encountering the wilderness had been surmounted, and an apprehension had arisen of evil days that were to befall England, the stream of emigration flowed with a full current: "Godly people there began to apprehend a special hand of Providence in raising this plantation, and their hearts were generally stirred to come over." The new comers were so many that there was no room for them all in the earlier places of abode; and Simon 1635. Willard, a trader, joining with Peter Bulkley, a minister from St. John's College in Cambridge, a man of wealth, benevolence, and great learning, became chief instruments in extending the frontier. Under their guidance, at the fall of the leaf in 1635, a band of twelve families, toiling through thickets of ragged bushes, and clambering over crossed trees, made their way along Indian paths to the green meadows of Concord. A tract of land six miles square was purchased for the planters of the squaw sachem and a chief to whom, according to Indian laws of property, it belonged. The suffering settlers burrowed ~~or~~ their first shelter under a hillside. The cattle sickened ~~or~~ on the wild fodder; sheep and swine were destroyed by wolves;

there was no flesh but game. The long rains poured through the insufficient roofs of their smoky cottages, and troubled even the time for sleep. Yet the men labored willingly, for they had their wives and little ones about them. The forest rung with their psalms; and "the poorest people of God in the whole world," unable "to excel in number, strength, or riches, they resolved to strive to excel in grace and in holiness." Such was the infancy of a New England village. That village will one day engage the attention of the world.

Meantime, the fame of the liberties of Massachusetts extended widely: the good-natured Earl of Warwick, a friend to civil liberty, though not a republican, offered his congratulations on its prosperity; and a single year brought three thousand new settlers to the Puritan colony. Among these was the fiery Hugh Peter, who had been pastor of a church of English exiles in Rotterdam; a republican of great energy and popular eloquence, not always tempering enterprise with judgment. At the same time came Henry Vane, the younger, "for conscience' sake." "He liked not the discipline of the church of England, of which none of the ministers would give him the sacrament standing." "Neither persuasions of the bishops nor authority of his parents prevailed with him;" and, from "obedience of the gospel," he cheerfully "forsook the preferments of the court of Charles for the ordinances of religion in their purity in New England." He was happy in the possession of admirable powers; he was happy in the eulogist of his virtues; for Milton, ever so parsimonious of praise, was lavish of encomiums on the youthful friend of religious liberty; but he was still more happy in attaining early in life a firmly settled theory of morals, and in possessing an energetic will, which made his conduct conform to it. "If he were not superior to Hampden," says Clarendon, "he was inferior to no other man;" "his whole life made good the imagination that there was in him something extraordinary."

The freemen of Massachusetts, pleased that a young man of his rank and ability agreed with them in belief and shared their exile, in 1636 elected him their gov-

ernor. The choice was unwise ; for neither the age nor the experience of Vane entitled him to the distinction. 1636. He came but as a ~~sojourner~~, and not as a permanent resident ; neither was he imbued with the genius of the place ; and his clear mind, unbiassed by previous discussions, and fresh from the public business of England, saw distinctly what the colonists did not wish to see, the really wide difference between their practice under their charter and the meaning of that instrument on the principles of English jurisprudence.

These causes of discontent could not remain latent. At first, the arrival of Vane seemed a pledge for the emigration of men of the highest rank. Several English peers, especially Lord Say and Seal, a Presbyterian, a friend to the Puritans, yet with but dim perceptions of the true nature of civil liberty, and Lord Brooke, a man of charity and meekness, an early friend to tolerance, had begun to inquire into the character of the rising institutions, and to negotiate for such changes as would offer them inducements for removing to America. They demanded a division of the general court into two branches, that of assistants and of representatives,—a change which was acceptable to the people, and which, from domestic reasons, was ultimately adopted ; but they further required an acknowledgment of their own hereditary right to a seat in the upper house. The fathers of Massachusetts were disposed to conciliate these powerful friends : they promised them the honors of magistracy, would have readily conferred it on some of them for life, and actually began to make appointments on that tenure ; but, as for the establishment of hereditary dignity, they answered by the hand of Cotton : “Where God blesseth any branch of any noble or generous family with a spirit and gifts fit for government, it would be a taking of God’s name in vain to put such a talent under a bushel, and a sin against the honor of magistracy to neglect such in our public elections. But, if God should not delight to furnish some of their posterity with gifts fit for magistracy, we should expose them rather to reproach and prejudice, and the commonwealth with them, than

exalt them to honor, if we should call them forth, when God doth not, to public authority." And thus the proposition for establishing hereditary nobility was defeated. The people, moreover, were uneasy at the permanent concession of office; Saltonstall, "that much-honored and upright-hearted servant of Christ," loudly reproved "the sinful innovation," and advocated its reform; nor would the freemen be quieted till, in 1639, it was made a law that those who were appointed magistrates for life should yet not be magistrates except in those years in which they should be regularly chosen at the annual election.

The institutions of Massachusetts were likewise in jeopardy from religious divisions. The minds of the colonists\* were excited on the questions which the nicest subtlety only could have devised, and which none but those experienced in the shades of theological opinions could long comprehend. For it goes with these opinions as with colors, of which the artist, who works in mosaic, easily and regularly discriminates many thousand varieties where the common eye can discern a difference only on the closest comparison. In Boston and its environs, the most profound questions relating to human existence and the laws of the moral world were discussed with passionate zeal; the Holy Spirit was claimed as the inward companion of man; while many persons, in their zeal to distinguish between abstract truth and the outward forms under which truth is conveyed, between unchanging principles and changing institutions, were in perpetual danger of making shipwreck of all religious faith, and hardly paused to sound their way through the dim and perilous paths of speculative theology.

Amidst the arrogance of spiritual pride, the vagaries of undisciplined imaginations, and the extravagances to which the intellectual power may be led in its pursuit of ultimate principles, two distinct parties may be perceived. The first consisted of the original settlers, the framers of the civil government and their adherents; they who were intent on the foundation and preservation of a commonwealth, and were satisfied with the established order of society. They

had founded their government on the basis of the church, and church membership could be obtained only by an exemplary life and the favor of the clergy. They dreaded unlimited freedom of opinion as the parent of ruinous divisions. "The cracks and flaws in the new building of the Reformation," thought they, "portend a fall;" they desired patriotism, union, and a common heart; they were earnest to confirm and build up the state, the child of their cares and their sorrows. They were reproached with being "priest-ridden magistrates," "under a covenant of works."

The other party was composed of individuals who had arrived after the civil government and religious discipline of the colony had been established. Their pride consisted in following the principles of the Reformation with logical precision to all their consequences. Their eyes were not primarily directed to the institutions of Massachusetts, but to articles of religion. They had come to the wilderness for freedom of religious opinion; and they resisted every form of despotism over the mind. To them, the clergy of Massachusetts were "the ushers of persecution," "popish factors" who had not imbibed the true principle of Christian reform; and they applied to the influence of the Puritan ministers the principle which Luther and Calvin had employed against the observances and pretensions of the Roman church. Every political and every philosophical opinion assumed in those days a theological form: standing on the doctrine of justification by faith alone, they derided the formality of the established religion; and by asserting that the Holy Spirit dwells in every believer, that the revelation of the Spirit is superior "to the ministry of the word," they sustained with intense fanaticism the paramount authority of private judgment.

The founder of this party was Anne Hutchinson, a woman of such admirable understanding "and profitable and sober carriage" that her enemies could never speak of her without acknowledging her eloquence and her ability. She was encouraged by John Wheelwright, a silenced minister, who had married her husband's sister, and by Henry Vane, the governor of the colony; while a majority of the people of

Boston sustained her in her rebellion against the clergy. Scholars and men of learning, members of the magistracy and of the general court, accepted her opinions. The public mind seemed hastening towards an insurrection against spiritual authority; and she was denounced as "weakening the hands and hearts of the people towards the ministers," as being "like Roger Williams, or worse."

The subject acquired high political importance. Nearly all the clergy, except Cotton, in whose house Vane was an inmate, clustered together in defence of their influence, and in opposition to Vane; and Wheelwright, <sup>1637. March.</sup> who, in a sermon on a fast day appointed as a means of reconciliation of the differences, maintained that "those under a covenant of grace must prepare for battle and come out and fight with spiritual weapons against pagans, and anti-christians, and those that runne under a covenant of works," in spite of the remonstrance of the governor, was censured by the general court for sedition. At the ensuing choice of magistrates, the religious divisions <sup>May 17.</sup> controlled the elections. Some of the friends of Wheelwright had threatened an appeal to England; but in the colony "it was accounted perjury and treason to speak of appeals to the king." The contest appeared, therefore, to the people not as the struggle for intellectual freedom against the authority of the clergy, but for the liberties of Massachusetts against the interference of the English government. In the midst of such high excitement that even the pious Wilson climbed into a tree to harangue the people on election day, Winthrop and his friends, the fathers and founders of the colony, recovered power. But the dispute infused its spirit into every thing; it interfered with the levy of troops for the Pequot war; it influenced the respect shown to the magistrates; the distribution of town-lots; the assessment of rates; and at last the continued existence of the two opposing parties was considered inconsistent with the public peace. To prevent the increase of a faction esteemed so dangerous, a law, somewhat analogous to the alien law in England, and to the European policy of passports, was enacted by the party in power; none should be

received within the jurisdiction but such as should be allowed by some of the magistrates. The dangers which were simultaneously menaced from the Episcopal party in the mother country gave to the measure an air of magnanimous defiance; it was almost a proclamation of independence. As an act of intolerance, it found in Vane an inflexible opponent; and, using the language of the times, he left a memorial of his dissent. "Scribes and Pharisees, and such as are confirmed in any way of error,"—these are the remarkable words of the man, who soon embarked for England, where he afterwards pleaded in parliament for the liberties of Catholics and dissenters,—"all such are not to be denied cohabitation, but are to be pitied and reformed. Ishmael shall dwell in the presence of his brethren."

The friends of Wheelwright could not brook his censure; but, in justifying their remonstrances, they employed the language of fanaticism. "A new rule of practice by immediate revelations" was now to be the guide of their conduct; not that they expected a revelation "in the way of a miracle;" such an idea Anne Hutchinson rejected "as a delusion;" they only slighted the censures of the ministers and the court, and avowed their determination to follow the free thought of their own minds. But individual conscience is often the dupe of interest, and often but a more

honorable name for self-will. The government feared, <sup>1637.</sup> or pretended to fear, a disturbance of the public <sup>Aug.</sup> peace. A synod of the ministers of New England was therefore assembled, to settle the true faith. Numerous opinions were harmoniously condemned; and vagueness of language, so often the parent of furious controversy, performed the office of a peace-maker. Now that Vane had returned to England, it was hardly possible to find any grounds of difference between the flexible Cotton and his equally orthodox opponents. The triumph of the clergy being complete, the civil magistrates proceeded to pass sentence on the more resolute offenders. Wheelwright, Anne Hutchinson, and Aspinwall were exiled from the territory of Massachusetts, as "unfit for the society" of its

citizens; and their adherents, who, it was feared, "might, upon some revelation, make a sudden insurrection," and who were ready to seek protection by an appeal from the authority of the colonial government, were required to deliver up their arms.

The principles of Anne Hutchinson are best seen in the institutions which were founded by her associates. We shall hereafter trace the career of Henry Vane. Wheelwright and his friends removed to the banks of the Piscataqua; and, at the head of tide-waters on that stream, they founded the town of Exeter, one more little republic in the wilderness, organized on the principles of natural justice by the voluntary combination of the inhabitants.

The larger number of the friends of Anne Hutchinson, led by John Clarke and William Coddington, proceeded to the south, designing to make a plantation on Long Island or near Delaware Bay. But Roger Williams persuaded them to plant in his vicinity. In March, 1638, a <sup>1638.</sup> <sub>Mar. 7.</sub> social compact, signed after the manner of the precedent at New Plymouth, so often imitated in America, founded their government upon the basis of the universal consent of the inhabitants; the forms of the administration were borrowed from the example of the Jews. Coddington was elected judge in the new Israel. Before the month was at an end, the influence of Roger Williams and the name of Henry Vane prevailed with Miantonomoh, the chief of the Narragansetts, to make them a gift of the beautiful island of Rhode Island. Under this grant, they began at once to cluster round the cove on the north-east part of the island; and, as they grew rapidly in numbers, in the spring of 1639, a part of them removed to Newport. The <sup>1639.</sup> <sub>Mar. 24.</sub> colony rested on the principle of intellectual liberty: philosophy itself could not have placed the right on a broader basis. The settlement prospered; and it became necessary to establish a constitution. In March, 1641, it <sup>1641.</sup> <sub>March 16-19.</sub> was therefore ordered by the whole body of freemen, and "unanimously agreed upon, that the government, which this body politic doth attend unto in this island and the jurisdiction thereof, in favor of our prince, is a DEMOCRACIE, or

popular government; that is to say, it is in the power of the body of freemen orderly assembled, or major part of them, to make or constitute just lawes, by which they will be regulated, and to depute from among themselves such ministers as shall see them faithfully executed between man and man." "It was further ordered that none be accounted a delinquent for doctrine;" the law for "liberty of conscience was perpetuated." The little community was held together, by the bonds of affection and freedom of opinion: benevolence was their rule; they trusted in the power of love to win the victory; and "the signet for the state" was ordered to be "a sheafe of arrows," with "the motto

1641. <sup>Sept. 9.</sup> AMOR VINCET OMNIA." A patent from England was necessary for their security; and to whom could they direct their letters but to the now powerful Henry Vane?

Of these institutions Anne Hutchinson did not long enjoy the protection. Recovering from a transient dejection, she gloried in her sufferings, as her greatest happiness; and, making her way through the forest, she travelled by land to the settlement of Roger Williams, and from thence joined her friends on the island, sharing with them the hardships of early emigrants. Her mind still continued active; young men from other colonies became converts to her opinions; and she excited such admiration that to the leaders in Massachusetts it "gave cause of suspicion of witchcraft." A tinge of fanaticism pervaded her family: one of her sons, and Collins her son-in-law, ventured to expostulate with the people of Boston on the wrongs of their mother. Severe imprisonment for many months was the punishment for their boldness. Rhode Island itself seemed no longer a safe refuge; and the family removed beyond New Haven into the territory of the Dutch. There Kieft, the violent gov-

ernor, provoked an insurrection among the Indians; 1643. in 1643 the house of Anne Hutchinson, then a widow, was attacked and set on fire; herself, her son-in-law, and all their family, save one child, perished by the weapons of the savages, or by the flames. The river near which stood her house is to this day called by her name.

The legislation of Massachusetts may be reproved for its jealousy more than for its cruelty, and Williams and Wheelwright and Aspinwall suffered not more from their banishment than some of the best men of the colony encountered from choice. For rumor had spread accounts of the fertility of the alluvial land along the borders of the Connecticut; and the banks of that river were planted with Puritan villages, just in season to anticipate the rival designs of the Dutch.

The valley of the Connecticut had early become 1630. an object of desire and of competition. The Earl of Warwick was the first proprietary of the soil, under a grant from the council for New England; and it was next held by Lord Say and Seal, Lord Brooke, John <sup>1631.</sup> Mar. 19. Hampden, and others, as his assigns. Before any colony could be established with their sanction, the people of New Plymouth built a trading-house at <sup>1633.</sup> Oct. Windsor, and conducted with the natives a profitable commerce in furs. For the same trade, "Dutch intruders" from Manhattan, ascending the river, raised at Hartford the house "of Good Hope," and struggled to secure the territory to themselves. In 1635, the younger Winthrop, the future benefactor of Connecticut, one of those men in whom the elements of human excellence are mingled in the happiest union, returned from England with a commission from the proprietaries of that region to erect a fort at the mouth of the stream, a purpose which was accomplished. Other settlements were begun by emigrants from the environs of Boston at Hartford and Windsor and Weathersfield; and, in the last days of the pleasantest of the autumnal months, a company of sixty, among whom were women and children, removed to the west. But their journey was undertaken too late in the season: their sufferings were severe, and were greatly exaggerated by malicious rumor to deter others from following them.

In the opening of the next year, "the people, who 1636. had resolved to transplant themselves and their estates unto the river Connecticut, judged it inconvenient to

1636.  
Mar. 3. go away without any frame of government;" and at their desire, on the third of March, the general court of Massachusetts granted a temporary commission to eight men, two from each of the companies who were to plant Springfield, Windsor, Hartford, and Weathersfield.

At the budding of the trees and the springing of the May. grass, some smaller parties made their way to the new Hesperia of Puritanism. In June, led by Thomas Hooker, "the light of the Western Churches," the principal body of about one hundred persons, many of them accustomed to affluence and the ease of European life, began their march. Traversing on foot the pathless forest, they drove before them numerous herds of cattle; advancing hardly ten miles a day through tangled woods, across the valleys, swamps, and numerous streams, and over the intervening

highlands; subsisting on the milk of the kine, which June. browsed on the fresh leaves and early shoots; having no guide through the pathless wild but the compass, and no pillow for their nightly rest but heaps of stones. How did the hills echo with the unwonted lowing of herds! How were the forests enlivened by the loud piety of Hooker, famed as "a son of thunder"! Never again was there such a pilgrimage from the seaside "to the delightful banks" of the Connecticut. The emigrants had been gathered from among the most valued citizens, the earliest settlers, and the oldest churches of the Bay. Roger Ludlow, the first named in the commission for government, unsurpassed in his knowledge of the law and the rights of mankind, had been deputy governor of Massachusetts; John Haynes had for one year been its governor; and Hooker had no rival in public estimation but Cotton, whom he surpassed in force of character, in liberality of spirit, in soundness of judgment, and in clemency. Historians, investigating the causes of events, have endeavored to find the motives of this settlement in jealous ambition. Such ingenuity is gratuitous. The Connecticut was supposed to be the best channel for a great internal traffic in furs; and its meadows were already proverbial for the richness of their soil.

The new settlement so far towards the west was envi-

roned by perils. The Dutch still indulged a hope of dispossessing the English, and the natives of the country hated the approach of all Europeans. No part of New England was more thickly covered with aboriginal inhabitants than Connecticut. The Pequods, who were settled round the Thames, could muster at least seven hundred warriors; the effective men of the emigrants were fewer than two hundred. The danger was incessant; and while the settlers, with hardly a plough or a yoke of oxen, turned the wild fertility of nature into productiveness, they were exposed to the incursions of an enemy whose delight was carnage.

In 1633, some of the Pequods had already shown a hostile spirit, and had murdered the captain and crew of a small Massachusetts vessel trading in Connecticut River. With some appearance of justice, they pleaded the necessity of self-defence; and in November, 1634, their messengers, sent to Boston to desire the alliance of the white men, brought great store of wampum peag, and bundles of sticks in promise of so many beaver and otter skins. The government of Massachusetts accepted the excuse conditionally, and reconciled the Pequods with their hereditary enemies, the Narragansetts. No longer at variance with a powerful neighbor, the Pequods did not deliver up the murderers. In July, 1636, John Oldham, an enterprising trader, returning from a voyage to the Connecticut River, was murdered and his men carried off by the Indians of Block Island. To punish the crime, Massachusetts sent out ninety men under the command of Endecott. Conforming as nearly as they could to their sanguinary orders, they ravaged Block Island, and then, re-enforced by volunteers from Connecticut, they undertook the chastisement of the Pequods. That warlike tribe, far from being overawed, sought the alliance of its neighbors, the Narragansetts and the Mohicans. The union and general rising of the natives against the colonists could be frustrated by none but Roger Williams, who was the first to give information of the impending danger. Having received letters from Vane and the council of Massachusetts, requesting his utmost and speediest endeavors to prevent the league, neither storms of wind nor high seas

could detain him. Shipping himself alone in a poor canoe, every moment at the hazard of his life, he hastened to the house of the sachem of the Narragansetts. The Pequod ambassadors, reeking with blood freshly spilled, were already there; and for three days and nights the business compelled him to lodge and mix with them, having cause every night to expect their knives at his throat. The Narragansetts were wavering; but Roger Williams succeeded in dissolving the conspiracy. It was the most intrepid achievement in the war, as perilous in its execution as it was fortunate in its issue. The Pequods were left to contend single-handed against the English.

Continued injuries and murders roused Connecticut <sup>1637.</sup> to action; and, on the first of May, the court of its three infant towns decreed immediate war. Uncas, sachem of the Mohegans, was their ally. To John Mason the staff of command was delivered at Hartford by the venerated Hooker; and after nearly a whole night spent, at the request of the soldiers, in importunate prayer by the very learned and godly Stone, about sixty men, one third of the whole colony, aided by John Underhill and twenty gallant recruits, whom the forethought of Vane had sent from the Bay State, sailed past the Thames, and, designing to reach the Pequod fort unobserved, entered a harbor near Wickford, in the bay of the Narragansetts. The next day was the Lord's, sacred to religion and rest. Early in the week, the captains of the expedition, with the pomp of a military escort, repaired to the court of Canonicus, the patriarch and ruler of the tribe; and the younger and more fiery Miantonomoh, surrounded by two hundred of his bravest warriors, received them in council. "Your design," said he, "is good; but your numbers are too weak to brave the Pequods, who have mighty chieftains, and are skilful in battle;" and, after doubtful friendship, he deserted the desperate enterprise.

Nor did the devoted tribe on Mystic River distrust their strength. Their bows and arrows still seemed to them formidable weapons; ignorant of European fortresses, they viewed their frail palisades with complacency; and, as the

English boats sailed by the places where their rude works frowned defiance, it was rumored among them that their enemies had vanished through fear. Hundreds of the Pequods spent much of the last night of their lives in rejoicings, at a time when the sentinels of the English were within hearing of their songs. On the twenty-sixth, two hours before day, the soldiers of Connecticut put themselves in motion ; and, as the light of morning began to dawn, they made their attack on the principal fort, which stood in a strong position at the summit of a hill. The colonists were fighting for the security of their homes ; if defeated, the war-whoop would resound near their cottages, and their wives and children be abandoned to the scalping-knife and the tomahawk. They ascend to the attack ; a watch-dog bays an alarm at their approach ; the Indians awake, rally, and resist, as well as bows and arrows can resist weapons of steel. The superiority of number was with them ; and fighting closely, hand to hand, victory was tardy. "We must burn them!" shouted Mason, and cast a firebrand to the windward among the light mats of their cabins. Hardly could the English withdraw to encompass the place, before the encampment was in a blaze. Did the helpless natives climb the palisades, the flames assisted the marksmen to take good aim at them ; did they attempt a sally, they were cut down by English broadswords. About six hundred Indians, men, women, and children, perished ; most of them in the hideous conflagration. In little more than an hour, the work of destruction was finished, and two only of the English had fallen.

With the light of morning, three hundred or more Pequod warriors were despaired, approaching from their second fort. They had anticipated success ; what was their horror as they beheld the smoking ruins! They stamped on the ground, and tore their hair ; but it was in vain to attempt revenge ; then and always, to the close of the war, the feeble resistance of the natives hardly deserved, says Mason, the name of fighting ; their defeat was certain, and unattended with much loss to the English. The aborigines were never

formidable in battle, till they became supplied with weapons of European invention.

A portion of the troops hastened homewards to protect the settlements from any sudden attack; while Mason, with about twenty men, marched across the country from the neighborhood of New London to the English fort at Saybrook. He reached the river at sunset; but Gardner, who commanded the fort, observed his approach; and never did a Roman consul, returning in triumph, ascend the Capitol with more joy than that of Mason and his friends, when they found themselves received as victors, and "nobly entertained with many great guns."

In a few days, the troops from Massachusetts arrived, attended by Wilson; for the ministers always shared every hardship and every danger. The remnants of the Pequods were pursued into their hiding-places; every wigwam was burned, every settlement was laid waste. Sassacus, 1637. their sachem, was murdered by the Mohawks, to whom he had fled for protection. The few that survived, about two hundred, surrendering in despair, were enslaved by the English, or incorporated among the Mohegans and the Narragansetts. "Fifteen of the boys and two women" were exported by Massachusetts to Providence Isle; and the returning ship brought back "some cotton, tobacco, and negroes."

The vigor and courage displayed by the settlers 1638. on the Connecticut, in this first Indian war in New England, struck terror into the savages, and secured a long period of peace. The infant was safe in its cradle, the laborer in the fields, the solitary traveller during the night-watches in the forest; the houses needed no bolts, the settlements no palisades. The constitution, which on the fourteenth of January, 1639, was adopted by them, was of unexampled liberality.

In two successive years, a general court had been held in May; at the time of the election, the committees from the towns came in and chose their magistrates, installed them, and engaged themselves to submit to their government and dispensation of justice. "The foundation of authority," said

Hooker, in an election sermon preached before the general court in May, 1638, "is laid in the free consent of the people, to whom the choice of public magistrates belongs by God's own allowance." "They who have power to appoint officers and magistrates, it is in their power, also, to set the bounds and limitations of the power and place into which they call them."

1638.  
May 31.

Winthrop of Massachusetts held it to be an error in the sister colony "that they chose divers men who, though otherwise holy and religious, had no learning or judgment which might fit them for affairs of government; by occasion whereof the main burden for managing state government fell upon some one of their ministers, who, though they were men of singular wisdom and godliness, yet, stepping out of their course, their actions wanted that blessing which otherwise might have been expected." In a letter therefore, written to Hooker, in the midsummer of 1638, "to Aug. quench these sparks of contention," Winthrop made remarks on the boundary between the states, and on the rejected articles of confederation which would have given to the commissioners of the states "absolute power;" that is, power of final decision, without need of further approval by the several states. He further "expostulated about the unwarrantableness and unsafeness of referring matter of counsel or judicature to the body of the people, *quia* the best part is always the least, and of that best part the wiser part is always the lesser. The old law was, Thou shalt bring the matter to the judge, etc."

In reply to this, Hooker expressed an unwillingness in the matter of confederation "to exceed the limits of that equity which is to be looked at in all combinations of free states." As to the manner of conducting their separate governments, he wrote unreservedly: "That in the matter which is referred to the judge, the sentence should be left to his discretion, I ever looked at as a way which leads directly to tyranny, and so to confusion; and must plainly profess, if it was in my liberty, I should choose neither to live, nor leave my posterity, under such a government. Let the judge do according to the sentence of the law. Seek

the law at his mouth. The heathen man said, by the candle light of common sense : ‘the law is not subject to passion, and therefore ought to have chief rule over rulers themselves.’ It’s also a truth that counsel should be sought from councillors ; but the question yet is, who those should be. In matters of greater consequence, which concern the common good, a general council, chosen by all, to transact businesses which concern all, I conceive, under favor, most suitable to rule, and most safe for relief of the whole. This was the practice of the Jewish church, and the approved experience of the best ordered states.”

From this seed sprung the constitution of Connecticut, first in the series of written American constitutions framed by the people for the people. Reluctantly leaving Springfield to the jurisdiction of Massachusetts, on the fourteenth of January, 1639, “the inhabitants and residents of Windsor, Hartford, and Wethersfield, associated and conjoined to be as one public state or commonwealth.” The supreme power was intrusted to a general court composed of a governor, magistrates, and deputies from the several towns, all freemen of the commonwealth, and all chosen by ballot. The governor was further required to be “a member of some approved congregation and” to have been “formerly of the magistracy ;” nor might the same person be chosen to that office oftener than once in two years. The governor and the magistrates were chosen by a majority of the whole body of freemen ; the deputies of the towns, by all who had been admitted inhabitants of them, and had taken the oath of fidelity. Each of the three towns might send four deputies to every general court, and new towns might send so many deputies as the court should judge to be in a reasonable proportion to the number of freemen in the said towns ; so that the representatives might form a general council, chosen by all. The general court alone had power to admit a freeman, whose qualifications were required to be residence within the jurisdiction and preceding admission as an inhabitant of one of the towns ; that is, according to a later interpretation, a householder. By the oath of allegiance, as in Massachusetts, every

freeman must swear to be true and faithful to the government of the jurisdiction of Connecticut; and of no other sovereign was there a mention. The governor was in like manner sworn "to maintain all lawful privileges of this commonwealth," and to give effect "to all wholesome laws that are, or shall be, made by lawful authority here established." The oath imposed on the magistrates bound them "to administer justice according to the laws here established, and for want thereof according to the word of God." The amendment of the fundamental orders rested with the freemen in general court assembled. All power was to proceed from the people. From the beginning, Connecticut was constituted a republic, and was in fact independent.

More than two centuries have elapsed; the world has been made wiser by the most various experience; political institutions have become the theme on which the most powerful and cultivated minds have been employed, and so many constitutions have been framed or reformed, stifled or subverted, that memory may despair of a complete catalogue: but the people of Connecticut have found no reason to deviate essentially from the frame of government established by their fathers. Equal laws were the basis of their commonwealth; and therefore its foundations were lasting. These unpretending emigrants invented an admirable system; for they were near to nature, listened willingly to her voice, and easily copied her forms. No ancient usages, no hereditary differences of rank, no established interests, impeded the application of the principles of justice. Freedom springs spontaneously into life; the artificial distinctions of society require centuries to ripen. History has ever celebrated the heroes who have won laurels in scenes of carnage. Has it no place for the founders of states; the wise legislators, who struck the rock in the wilderness, so that the waters of liberty gushed forth in copious and perennial fountains? They who judge of men by their services to the human race will never cease to honor the memory of Hooker, and will join with it that of Ludlow and still more that of Haynes.

In equal independence, a Puritan colony sprang up at

New Haven, under the guidance of John Davenport as its pastor, and of his friend, the excellent Theophilus Eaton. Its forms were austere, unmixed Calvinism; but the spirit of humanity sheltered itself under the rough exterior.

<sup>1638.</sup> ~~Apr. 18.~~ The colonists held their first gathering under a branching oak. Spring had not yet revived the verdure of nature; beneath the leafless tree, the little flock were taught by Davenport that, like the Son of man, they were led into the wilderness to be tempted. After a day of fasting and prayer, they rested their first frame of government on a simple plantation covenant, that "all of them would be ordered by the rules which the Scriptures held forth to them." A title to lands was obtained by a treaty with the natives, whom they protected against the Mohawks. When, after more than a year, the free planters of the colony desired a more perfect form of government, the followers of Him who was laid in a manger held their

<sup>1639.</sup> ~~June 4.~~ constituent assembly in a barn. There, by the influence of Davenport, it was resolved that the

Scriptures are the perfect rule of a commonwealth; that the purity and peace of the ordinances to themselves and their posterity were the great end of civil order; and that church members only should be free burgesses. A committee of twelve was selected to choose seven men, qualified for the foundation work of organizing the government.

~~Eaton, Davenport, and five others, were "the seven pillars"~~

for the new House of Wisdom in the wilderness. In <sup>Aug. 23.</sup> August, 1639, the seven pillars assembled, possessing for the time full power. Having abrogated every previous executive trust, they admitted to the court all church members; the character of civil magistrates was next expounded "from the sacred oracles;" and the election followed. Then Davenport, in the words of Moses to Israel in the wilderness, gave a charge to the governor to judge righteously; "the cause that is too hard for you," such was part of the minister's text, "bring it unto me, and I will hear it." Annual elections were ordered; and God's word established as the only rule in public affairs. Eaton, one of the most opulent of the comers to New Eng-

land, having for his aim not so much to die well as to live well, was elected governor annually for near twenty years, till his death. All agree that he conducted public affairs with unfailing discretion and equity; in private life, he joined the strict stoicism of the rigid Puritans with a visible innate benevolence and mildness.

In this manner, New Haven made the Bible its statute-book, and the elect its freemen. As neighboring towns were planted, each constituted itself likewise a house of wisdom, resting on its seven pillars, and aspiring to be illumined by the Eternal Light. The colonists prepared for the second coming of Christ, which they confidently expected. Meantime, their pleasant villages spread along the Sound and on the opposite shore of Long Island, and for <sup>1640 to 1649.</sup> years they nursed the hope of "speedily planting Delaware."

## CHAPTER X.

## THE UNITED COLONIES OF NEW ENGLAND.

THE English government was not indifferent to the progress of the colonies of New England. The fate of the first emigrants had been watched by all parties with benevolent curiosity ; nor was there any inducement to oppress the few sufferers, whom the hardships of their condition were so fast wasting away. The adventurers were encouraged by <sup>1630.</sup> a proclamation, which, with a view to their safety, <sub>Nov. 24.</sub> prohibited the sale of fire-arms to the savages.

The stern discipline exercised by the government at Salem produced an early harvest of enemies ; resentment long rankled in the minds of some, whom Endecott had perhaps too passionately punished ; and when they returned to England, Mason and Gorges, the rivals of the Massachusetts company, willingly echoed their vindictive complaints. A petition even reached King Charles, complaining of distraction and disorder in the plantations ; but it met with an unexpected issue. Massachusetts was ably defended by Saltonstall, Humphrey, and Cradock, its friends in England ;

and the committee of the privy council reported in <sup>1633.</sup> favor of the adventurers, who were ordered to <sub>Jan.</sub> continue their undertakings cheerfully, for the king did not design to impose on the people of Massachusetts the ceremonies which they had emigrated to avoid. The country, it was believed, would in time be very beneficial to England.

Revenge did not slumber, because it had been <sup>1634.</sup> once defeated ; and the success of the Puritans in America disposed the leaders of the Episcopal party to listen to the clamors of the malignant. Proof was produced of marriages celebrated by civil magistrates, and of the system of colonial church discipline, — proceedings

which were at variance with the laws of England. "The departure of so many of THE BEST," such "numbers of faithful and free-born Englishmen and good Christians,"—a more ill-boding sign to the nation than the portentous blaze of comets and the impressions in the air, at which astrologers are dismayed,—began to be regarded by the archbishops as an affair of state; and in February, <sup>1634.</sup> <sub>Feb. 21.</sub> 1634, ships bound with passengers for New England were detained in the Thames by an order of the council.

Still more menacing was the appointment of an arbitrary special commission for the colonies. Hitherto their affairs had been confided to the privy council; in April, William Laud, archbishop of Canterbury, the <sup>April.</sup> archbishop of York, and ten of the highest officers of state, were invested with full power to make laws and orders for the government of English colonies planted in foreign parts, to appoint judges and magistrates and establish courts for civil and ecclesiastical affairs, to regulate the church, to impose penalties and imprisonment for offences in ecclesiastical matters, to remove governors and require an account of their government, to determine all appeals from the colonies, and to revoke all charters and patents which had been surreptitiously obtained, or which conceded liberties prejudicial to the royal prerogative.

Cradock, who had been governor in England before the removal of the charter, was strictly charged to deliver in the patent of Massachusetts; and he wrote to the governor and council to send it home. Upon receipt of his letter, they resolved "not to return any answer or excuse at that time." In September, a copy of the commission to Archbishop Laud and his associates was brought to Boston; and it was at the same time rumored that the colonists were to be compelled by force to accept a new governor, the discipline of the church of England, and the laws of the commissioners. The intelligence awakened "the magistrates and deputies to hasten their fortifications, and to discover their minds each to other." Poor as was the colony, six hundred pounds were raised towards fortifications and the

work upon them was hastened. In the beginning of 1635, all the ministers assembled at Boston ; and Jan. 19. they unanimously declared against the reception of a general governor. "We ought," said the fathers in Israel, "to defend our lawful possessions, if we are able; if not, to avoid and protract."

It is not strange that Laud and his associates should have esteemed the inhabitants of Massachusetts to be men of refractory humors ; complaints resounded of sects and schisms ; of parties consenting in nothing but hostility to the church of England ; of designs to shake off the 1634. royal jurisdiction. Restraints were therefore placed Dec. upon emigration ; no one above the rank of a serving man might remove to the colony without the special leave of the commissioners ; and persons of inferior order were required to take the oaths of supremacy and allegiance.

Willingly as these acts were performed by religious 1635. bigotry, they were promoted by another cause. A April. change had come over the character of the great Plymouth company for the colonization of North Virginia. Southampton had found his death in the marshes of the Netherlands, fighting for the liberties of mankind. Public spirit had died out in the body, which had already made grants of all the lands from the Penobscot to Long Island. Those who now had the management of the company desired as individuals to become the proprietaries of extensive territories, even at the dishonor of invalidating all their grants as a corporation. A meeting of the lords was duly convened in April ; and the coast, from Acadia to beyond the Hudson, being divided into shares, was distributed among them by lots.

Thus far all went smoothly ; it was a more difficult matter to gain possession of their prizes ; the independent and inflexible colony of Massachusetts formed an obstacle, which they hoped to overcome by surrendering their general patent for New England to the king. To obtain of him a confirmation of their respective grants, and to use the whole force of his power against the charter of Massachusetts, were their avowed objects. To this end they set forth, "that the

Massachusetts patentees, having surreptitiously obtained from the crown a confirmation of their grant of the soil, had not only excluded themselves from the public government of the corporation, but had made themselves a free people, and for such hold themselves at present; framing unto themselves new concits of religion and new forms of ecclesiastical and temporal government, punishing divers that would not approve thereof, under other pretences indeed, yet for no other cause save only to make themselves absolute masters of the country, and uncontrollable in their new laws."

Now was the season of greatest peril to the rising liberties of New England. The privy council already feared the consequences that might come from the unbridled spirits of the Americans; the dislike of the king was notorious; and, at the Trinity term in the court of king's bench, a quo warranto was brought against the company of the Massachusetts Bay. At the ensuing Michaelmas, several of its members who resided in England made their appearance, and judgment was pronounced against them individually; the rest of the patentees stood outlawed, but no judgment was entered up against them. The unexpected death of <sup>1635.</sup> Mason, the proprietary of New Hampshire, in December, 1635, <sup>Dec.</sup> took away the chief mover of the aggressions on the rights of the adjoining colony.

In July, 1637, the king, professing "to redress the mischiefs that had arisen out of the many different humours," took the government of New England into his own hands, and appointed over it Sir Ferdinando Gorges as governor-general, upon whose "gravity, moderation, and experience," some hope of introducing a new system was reposed. But the measure was feeble and ineffectual. While Gorges in England sided with the adversaries of Massachusetts, he avoided all direct collision with its people, pretending underhand by his letters and speeches to seek their welfare; he never left England, and was hardly heard of except by petitions to its government. Attempting great matters and incurring large expenses, he lost all. The royal grant to him of extended territory in Maine, of which

mention has already been made, was never of any avail to him.

Persecution in England gave strength to the Puritan colony. The severe censures in the star-chamber, the <sup>1635 to</sup> <sub>1637.</sub> greatness of the fines which avarice rivalled bigotry

in imposing, the rigorous proceedings with regard to ceremonies, the suspending and silencing of multitudes of ministers, continued; and men were "enforced by heaps to desert their native country. Nothing but the wide ocean and the savage deserts of America could hide and shelter them from the fury of the bishops." The pillory had become the bloody scene of human agony and mutilation, as an ordinary punishment; and the friends of Laud jested on the sufferings which were to cure the obduracy of fanatics. "The very genius of that nation of people," said Wentworth, "leads them always to oppose, both civilly and ecclesiastically, all that ever authority ordains for them." They were provoked to the indiscretion of a complaint, and then involved in a persecution. They were imprisoned and scourged; their noses were slit; their ears were cut off; their cheeks were marked with a red-hot brand. But the lash and the shears and the glowing iron could not destroy principles which were rooted in the soul, and which

<sub>1637.</sub> danger made it glorious to profess. The injured party even learned to despise the mercy of their oppressors. Four years after Prynne had been punished for a publication, he was a second time arraigned for a like offence. "I thought," said Lord Finch, "that Prynne had lost his ears already; but," added he, looking at the prisoner, "there is something left yet;" and an officer of

<sub>June 30.</sub> the court, removing the hair, displayed the mutilated organs. A crowd gathered round the scaffold where

Prynne and Bastwick and Burton were to suffer maim. "Christians," said Prynne, "stand fast; be faithful to God and your country; or you bring on yourselves and your children perpetual slavery." The dungeon, the pillory, and the scaffold were stages in the progress of civil liberty towards its triumph.

There was a period when the ministry of Charles feared

no dangerous resistance in England; and the attempts to override the rights of parliament by monarchical power were accompanied by corresponding movements against New England, of whose colonists a correspondent of Laud reported, "that they aimed not at new discipline, but at sovereignty; that it was accounted treason in their general court to speak of appeals to the king."

The Puritans, hemmed in by dangers on every side, and at that time having no immediate prospect of success at home, desired at any rate to escape from their native country. "To restrain the transportation to the colonies of subjects whose principal end was to live as much as they could without the reach of authority," one proclamation succeeded another. In May, 1638, the privy council interfered to stay a <sup>1638. May 1.</sup> squadron of eight ships, which were in the Thames, preparing to embark for New England. It has been said that Hampden and Cromwell were on board this fleet. The English ministry of that day might willingly have exiled Hampden, who was at that very time engaged in resisting the levy of ship-money; no original authors, except royalists writing on hearsay, allude to the design imputed to him; in America, there exists no evidence of his expected arrival; the remark of the historian Hutchinson refers to the well-known schemes of Lord Say and Seal and Lord Brooke. There came over, during this summer, twenty ships, and at least three thousand persons; and, had Hampden designed to emigrate, he whose maxim in life forbade retreat, and whose resolution was as fixed as it was calm, possessed energy enough to have accomplished his purpose. He undoubtedly had watched with deep interest the progress of Massachusetts; The "Conclusions" had early attracted his attention; and in 1631 he had taken part in a purchase of territory on the Narragansett; but the greatest patriot statesman of his times, the man whom Charles I. would gladly have seen drawn and quartered, whom Clarendon paints as possessing beyond all his contemporaries "a head to contrive, a tongue to persuade, and a hand to execute," and whom Baxter revered as able, by his presence and conversation, to give a

new charm to the rest of the saints in heaven, never embarked for America. The fleet in which he is said to have taken his passage was delayed but a few days; on petition of the owners and passengers, King Charles removed the restraint; the ships proceeded on their intended voyage; and the company, as it seems without diminution, arrived safely in the Bay of Massachusetts. Had Hampden and Cromwell been of the party, they would have reached New England.

A few weeks before this attempt to stay emigration, <sup>1639.</sup> April 4. the lords of the council had written to Winthrop, recalling to mind the former proceedings by a quo warranto, and demanding the return of the patent. In case of refusal, it was added, the king would assume into his own hands the entire management of the plantation.

But "David in exile could more safely expostulate with Saul for the vast space between them." The colonists, <sup>Sept. 6.</sup> without desponding, demanded a trial before condemnation. They urged that the recall of the patent would be a manifest breach of faith, pregnant with evils to themselves and their neighbors; that it would strengthen the plantations of the French and the Dutch; that it would discourage all future attempts at colonial enterprise; and, finally, "if the patent be taken from us," such was their remonstrance, "the common people will conceive that his majesty hath cast them off, and that hereby they are freed from their allegiance and subjection, and therefore will be ready to confederate themselves under a new government, for their necessary safety and subsistence, which will be of dangerous example unto other plantations, and perilous to ourselves, of incurring his majesty's displeasure."

What the better class of public men in England thought of Massachusetts, we know from D'Ewes, who wrote: "All men may see, whom malice blindeth not nor impiety transverseth, that the very finger of God hath hitherto gone with them and guided them." On the other hand, the government of Charles were of the opinion that "all corporations, as is found by experience in the corporation of New Eng-

land, are refractory to monarchical government and endeavor to poison a plantation with factious spirits."

Before the supplication of the colony could find its way to the throne, the monarch was himself involved in disasters. Anticipating success in his tyranny in England, with headlong indiscretion, he insisted on introducing a liturgy into Scotland, and compelling the uncompromising disciples of Knox to listen to prayers translated from the Roman missal. The first attempt at reading the new service <sup>1637.</sup> <sub>July 23.</sub> in the cathedral of Edinburgh was the signal for that series of events which promised to restore liberty to England and give peace to the colonies. The movement began, as great revolutions almost always do, from the ranks of the people. "What, ye villain!" shouted the old women at the dean, as he read the liturgy, "will ye say mass in my lug?" "A pape! a pape!" resounded the multitude, incensed against the bishop; "stane him! stane him!" and Jenny Geddes aimed to throw a three-legged stool at his head, that might have cost him his life. The tumult spreads; the nobles of Scotland take advantage of the excitement of the people to advance their ambition.

The national covenant is published, and is signed by <sup>1638.</sup> the Scottish nation, almost without distinction of rank or sex; the defences of despotism are broken down, the flood washes away every vestige of ecclesiastical oppression. Scotland rises in arms for a holy war, and enlists religious enthusiasm under its banner in its contest against a despot, who has neither a regular treasury nor an army nor the confidence of his people. The wisest of his subjects esteem the insurgents as their friends and allies.

There is now no time to oppress New England; the <sup>1639.</sup> throne itself totters: there is no need to forbid emigration; England is at once become the theatre of wonderful events, and fiery spirits, who had fled for a refuge to the colonies, rush back to share in the open struggle for liberty. In the following years, few passengers <sup>1640 to 1642.</sup> came over; the reformation of church and state, the attainder of Strafford, the impeachment of Laud, caused all men to stay in England in expectation of a new world.

Yet a nation was already planted in New England; a commonwealth was ripened; the contests in which the unfortunate Charles became engaged, and the republican revolution that followed, left the colonists, for the space of twenty years, nearly unmolested in the enjoyment of virtual independence. The change which their industry had wrought in the wilderness was the admiration of their times. The wigwams and hovels in which the English had at first found shelter were replaced by well-built houses. The number of emigrants who had arrived in New England before the assembling of the Long Parliament is esteemed to have been twenty-one thousand two hundred. Two hundred and ninety-eight ships had borne them across the Atlantic; and the cost of the plantations had been almost a million of dollars, a great expenditure and a great emigration for that age. In a little more than ten years, fifty towns and villages had been planted; between thirty and forty churches built; and strangers, as they gazed, could not but acknowledge God's blessing on the endeavors of the planters. A public school, for which on the eighth of September, 1636, the general court made provision, was, in the next year, established at Cambridge; and when, in 1638, John Harvard, a non-conformist clergyman, a church member and freeman of Charlestown, esteemed for godliness and the love of learning, bequeathed to it his library and half his fortune, it was named HARVARD COLLEGE. "To complete the colony in church and commonwealth work," Jose Glover, a worthy minister, "able in estate," and of a liberal spirit, in that same year embarked for Boston with fonts of letters for printing, and a printer. He died on the passage; but, in 1639, Stephen Daye, the printer, printed the Free-man's Oath, and an Almanac calculated for New England; and, in 1640, "for the edification and comfort of the saints," the Psalms, faithfully but rudely, translated in metre from the Hebrew by Thomas Welde and John Eliot, ministers of Roxbury, assisted by Richard Mather, minister of Dorchester, were published in a volume of three hundred octavo pages, the first book printed in America, north of the city of Mexico.

In temporal affairs, plenty prevailed throughout the settlements, and affluence came in the train of industry. The natural exports of the country were furs and lumber; grain was carried to the West Indies; fish also was a staple. The art of ship-building was introduced with the first emigrants to Salem; but "Winthrop had with him William Stephens, a shipwright, who had been preparing to go for Spain, and who would have been as a precious jewel to any state that obtained him." He had built in England many ships of great burden, one even of six hundred tons, and he was "so able a man that there was hardly such another to be found in the kingdom." In New England he lived with great content, where, from the time of his arrival, ship-building was carried on with surpassing skill, so that vessels were soon constructed of four hundred tons. So long as the ports were thronged with new comers, the older settlers found full employment in supplying their wants. But now "men began to look about them, and fell to a manufacture of cotton, whereof they had store from Barbadoes." In view of the exigency, "the general court made order for the manufacture of woollen and linen cloth."

The Long Parliament, which met in 1641, contained among its members many sincere favorers of the Puritan plantations. But the English in America, with wise circumspection, feared to endanger their legislative independence. "Upon the great liberty which the king had left the parliament in England," says Winthrop, "some of our friends there wrote to us advice to solicit for us in the parliament, giving us hope that we might obtain much. But, consulting about it, we declined the motion for this consideration, that, if we should put ourselves under the protection of the parliament, we must then be subject to all such laws as they should make, or, at least, such as they might impose upon us. It might prove very prejudicial to us." When the letters arrived, inviting the colonial churches to send their deputies to the Westminster assembly of divines, the same sagacity led them to neglect the summons. Especially Hooker, of Hartford, "liked not the business," and deemed it his duty rather to stay in quiet and obscurity with his

people in Connecticut, than to go three thousand miles to plead for Independency with Presbyterians in England. Yet such commercial advantages were desired as might be obtained without a surrender of chartered rights. In 1641, the general court "sent three chosen men into England to congratulate the happy success there, and to be ready to make use of any opportunity God should offer for the good of the country here, as also to give any advice, as it should be required, for the settling of the right form of church discipline there." Of these agents, Hugh Peter was one.

The security enjoyed by New England presented the long desired opportunity of establishing a "body of liberties" as a written constitution of government. In the absence of a code of laws, the people had for several years continued to be uneasy at the extent of power that rested in the discretion of the magistrates. On the other hand, most of the magistrates, and some of the elders, thinking that the fittest laws would arise upon occasions, and gain validity as customs, and moreover fearing that their usages, if established as regular statutes, might be censured by their enemies as repugnant to the laws of England, "had not been very forward in this matter." Now that some of the causes of

apprehension existed no longer, the great work of con-  
1641. stitutional legislation was resumed; and in December,

1641, a session of three weeks was employed in considering a system which had been prepared chiefly by Nathaniel Ward, of Ipswich. He had been formerly a student and practiser in the courts of common law in England, but became a non-conforming minister; so that he was competent to combine the humane principles of the common law with those of natural right and equality, as deduced from the Bible. After mature deliberation, his "model," which for its liberality and comprehensiveness may vie with any similar record from the days of Magna Charta, was adopted as "the body of liberties" of the Massachusetts colony.

All the general officers of the jurisdiction, including governor, deputy governor, treasurer, assistants, military commander, and admiral, if there should be naval force, were to be chosen annually by the freemen of the planta-

tion, and paid from the common treasury. The freemen in the several towns were to choose deputies from among themselves; or, "to the end the ablest gifted men might be made use of in so weighty a work," they might select them elsewhere as they judged fittest, who were to be paid from the treasury of the respective towns, and to serve "at the most but one year; that the country may have an annual liberty to do in that case what is most behooveful for the best welfare thereof." No general assembly could be dissolved or adjourned without the consent of the major part thereof. The freemen of every town had power to make such by-laws and constitutions as might concern the welfare of the town, provided they be not of a criminal nature, nor repugnant to the public laws of the country; and that their penalties exceed not twenty shillings for one offence. They also had power to choose yearly selectmen "to order the prudential occasions of the town according to instructions to be given them in writing."

Life, honor, and personal liberty and estate were placed under the perpetual protection of law. To every person, whether inhabitant or foreigner, was promised equal justice without partiality or delay. Every man, whether inhabitant or foreigner, free or not free, that is, whether admitted as a member of the general court of the freemen under the charter or not, had the liberty to come to any court, council, or town-meeting, and there to move any question or present any petition, either by speech or writing. Every officer exercising judicial authority was annually elected; the assistants by the freemen of the whole plantation; the associates to assist the assistants in any inferior court, by the towns belonging to that court; and all jurors, by the freemen of the town where they dwelt. Judicial proceedings were simplified; by mutual consent of plaintiff and defendant, actions might be tried, at their option, by the bench or by a jury; and in criminal trials the like choice was granted to the accused.

Every incident of feudal tenure that would have been a restraint on the possession and transmission of real estate was utterly forbidden; and all lands and heritages were

declared free and alienable; so that the land of a child under age, or an idiot, might, with the consent of a general court, be conveyed away. The charter had indeed reserved to the king, by way of rent, one fifth of the gold and silver that might be mined; but this was a mere theoretical feud, resolving itself into fealty alone. In Massachusetts, all the land was allodial. All persons of the age of twenty-one years, even the excommunicate or condemned, had full power to alienate their lands and estates, and to make their wills and testaments. Children inherited equally as co-partners the property of intestate parents, whether real or personal, except that to the first-born son, where there was a son, a double portion was assigned, unless the general court should judge otherwise. No man could be compelled to go out of the limits of the plantation upon any offensive war. To every man within the jurisdiction, free liberty was assured to remove himself and his family at their pleasure. The grant of monopolies was prohibited, except of new inventions profitable to the country, and that for a short time. Every married woman was protected against bodily correction or stripes by her husband, and had redress, if at his death he should not leave her a competent portion of his estate. Of other nations professing the true Christian religion, all fugitives from the tyranny or oppression of their persecutors, or from famine or wars, were ordered to be entertained according to that power and prudence that God should give; so that the welcome of the commonwealth was as wide as sorrow. On slavery this was the rule: "There shall never be any bond slaverie, villinage, or captivitie amongst us, unless it be lawfull captives taken in just warres, and such strangers as willingly selle themselves or are sold to us. And these shall have all the liberties and Christian usages which the law of God established in Israel concerning such persons doeth morally require. This exempts none from servitude who shall be judged thereto by authoritie." "If any man stealeth a man or mankinde, he shall surely be put to death."

The severity of the Levitical law against witchcraft, bla-

phemy, and sins against nature, was retained; otherwise, death was the punishment only for murder, adultery, man-stealing, and false witness wittingly to take away any man's life. In the following year, rape was also made a capital crime.

With regard to the concerns of religion, all the people of God who were orthodox in judgment and not scandalous in life had full liberty to gather themselves into a church estate; to exercise all the ordinances of God; and from time to time to elect and ordain all their officers, provided they be able, pious, and orthodox. For the preventing and removing of error, ministers and elders of near adjoining churches might hold public Christian conference, provided that nothing be imposed by way of authority by one or more churches upon another, but only by way of brotherly consultations.

Such were the most important of the liberties and laws, established at the end of 1641, for the government of Massachusetts. Embracing the freedom of the commonwealth, of municipalities, of persons, and of churches according to the principles of Congregationalism, "the model" exhibits the truest picture of the principles, character, and intentions of that people, and the best evidence of its vigor and self-dependence.

In its main features it was the embodiment of the customs of the colony. The public teaching of all children, the train-bands and the training-field, the town-meeting and the meeting of all the inhabitants for public worship, — these essential elements of early New England public life grew up before their establishment by a superior authority, and, as it were, created the laws for their perpetuation.

Do we seek to trace the New England town to its origin? The vital principle of Teutonic liberty lies in the immemorial usage of the meeting of all the people with the equal right of each qualified inhabitant to give counsel and to vote on public affairs. The usage still exists, nearly in its pristine purity, in some of the cantons of Switzerland; it has left in the Teutonic race a more profound sense of the

need of local self-government than exists elsewhere on the continent of Europe; in England, it is the formative idea of its parliament and of its hundred, and in some narrow measure still survives in the parish. It was saved in many English towns by special agreement with their rulers, though these agreements were warred upon and essentially changed by later and more arbitrary kings. This seminal principle of English liberty scattered itself and took root wherever Englishmen trod the soil of America. The first ordinance for the constitution of Virginia enumerated the divisions of towns, hundreds, and plantations; but there the system was imperfectly developed from the scattered mode of life of the planters and the introduction of the English system of parishes. In New England, the precious seed fell on the best ground for its quickening. Each company of settlers as it arrived, or as it divided from earlier companies, formed a town by themselves, which at once began as by right with taking care of its own concerns. All the electors met annually, and more often if required. They might at any time be called together to treat of any subject that was of interest to them, even if it were but to express an opinion. When business became too complicated to be executed in the public assembly, the annual meeting voted what should be done in the year, and selected men to carry out their votes. When the annual gathering of all the freemen of the corporation gave way to the representative system, each town that had as many as ten freemen might send at least one deputy to what was still called the general court. Thus in Massachusetts, and it was substantially so in all the New England states, the commonwealth was made up of living, integral organizations, in which the people were trained, from the beginning, to feel themselves members of the state and to take their share in public life.

In these early days, there fell under the control of 1641. the several towns two subjects, which are now removed from them. The minister, without whom the existence of a town could not be conceived of, was chosen in open town-meeting, and received his support according to the contract that might be made between him and the

people. This regulation continued in usage in some of the interior precincts for nearly two centuries.

By the charter all the land of the commonwealth was granted to the freemen of the corporation ; but they never laid claim to it for themselves. They sometimes showed their gratitude to benefactors by voting to them lands ; but, as the rule, the land within the limits of a town was granted by the commonwealth to the individuals who were to plant the town ; not in perpetuity, nor in equal parts, but to be distributed among the inhabitants according to their previous agreements, or to their wants and just expectations as judged of by the towns themselves. Each town made its own rules for the division of them. It was usual to reserve a large part of the town's domain for such persons as from time to time should be received as inhabitants ; and, in the mean while, rights to wood, timber, and herbage, in the undivided lands, attached to all householders. A permanent community of property in land was never designed or attempted.

Soon after the promulgation of its "liberties," the territory of Massachusetts was extended to the Piscataqua, for which the strict interpretation of its charter offered an excuse. The people of New Hampshire had long been harassed by vexatious proprietary claims ; dreading the perils of anarchy, they provided a remedy for the evils of a disputed jurisdiction by the immediate exercise of their natural rights ; and, on the fourteenth of April, 1642, <sup>1642.</sup> <sub>Apr. 14.</sub> by their own voluntary act, they were annexed to their powerful neighbor, not as a province, but on equal terms, as an integral portion of the state. The change was effected with great deliberation. The banks of the Piscataqua had not been peopled by Puritans ; and the system of Massachusetts could not properly be applied to the new acquisitions. In September, the general court adopted the measure which justice recommended ; neither the freemen nor the deputies of New Hampshire were required to be church members. Thus political harmony was maintained, though the settlements long retained marks of the difference of their origin.

The attempt to acquire the land on Narragansett Bay was less deserving of success. Massachusetts proceeded with the decision of an independent state. Samuel Gorton, a benevolent enthusiast, who used to say, heaven was not a place, there was no heaven but in the hearts of good men, no hell but in the mind, had created disturbances in the

district of Warwick. A minority of the inhabitants, 1641.

wearied with harassing disputes, requested the interference of the magistrates of Massachusetts; and two sachems, near Providence, surrendered the soil to the jurisdiction of that state. Gorton and his partisans did not disguise their scorn for the colonial clergy; they were advocates for liberty of conscience, and at the same time, having no hope of protection except from England, they were, by their position, enemies to colonial independence; they denied the authority of the magistrates of Massachusetts, not only on the soil of Warwick, but everywhere, inasmuch as it was tainted by a want of true allegiance. Such

opinions, if carried into effect, would have subverted 1643.

the liberties of Massachusetts, as well as its ecclesiastical system, and were therefore by a few thought worthy of death; but a small majority of the deputies was more merciful, and Gorton and his associates were imprisoned. George Downing feared the land would be angry at the sparing of their lives. The people murmured even at this less degree of severity, and the imprisoned men were soon set at liberty; but the claim to the territory was not immediately abandoned.

The enlargement of the dominion of Massachusetts was, in part, a result of the virtual independence which the commotions in the mother country had secured to the colonies. The establishment of a UNION among the Puritan states of New England was a still more important measure.

Immediately after the victories over the Pequods, 1637.

at a time when the earliest synod had gathered in Boston, the leading magistrates and elders of Connecticut proposed a confederacy. Many of the American statesmen, familiar with the character of the government of the Netherlands, possessed sufficient experience and knowl-

edge to frame the necessary plan; but time was wanting; the agents of Plymouth could not be seasonably summoned, and the subject was deferred.

In March, 1638, Davenport and Eaton, declining the solicitations of the government of Massachusetts to remain within its jurisdiction, <sup>1638. March.</sup> pledged themselves in their chosen abode "to be instrumental for the common good of the plantations which the Divine Providence had combined together in a strong bond of brotherly affection, so that their several armies might mutually strengthen them both against their several enemies." In the course of the year, a union of the Calvinist colonies came again into discussion; and Massachusetts propounded as the order of confederation that, upon any matter of difference, the assembled commissioners of every one of the confederate colonies should have full power to determine it. But those of Connecticut, from their shyness of coming under the government of Massachusetts, insisted that the commissioners, if they could not agree, should only make reports to their several colonies, till unanimity should be obtained. But Massachusetts, "holding it very unlikely that all the churches in all the plantations would ever unanimously agree upon the same propositions, refused the reservation to each state of a negative upon the proceedings of the whole confederacy;" for, in that case, "all would have come to nothing," and, after infinite trouble and expense, the issue would have been left to the sword.

The Dutch on Manhattan had received a new and more active governor, who complained much of the encroachments of Connecticut, and sought by a friendly correspondence with Massachusetts to nurse divisions in New England. To guard against this danger, in May, 1639, Hooker and Haynes sailed into Massachusetts <sup>1639. May.</sup> Bay, where they remained a month in the hope to bring about a treaty for confederation. The general court moved first in the measure, and the more readily that the Dutch "might not notice any breach or alienation" between kindred colonies.

The work of union was not immediately proceeded with.

In May, 1643, the general court of Massachusetts received an official copy of the order of the house of commons of the tenth of March of that year, in which it was acknowledged that "the plantations in New England had, by the blessing of the Almighty, had good and prosperous success, without any public charge to the parent state;" and their imports and exports were freed from all taxation, "until the house of commons should take order to the contrary." The general court of Massachusetts received the ordinance with thankful acknowledgment of so great a favor from that honorable assembly, and "entered it among their public records to remain there to posterity."

The governor was directed in his oath of office to omit to swear allegiance to King Charles, "seeing that he had violated the privileges of parliament and had made war upon them;" and the general court chose Winthrop their governor, and five others "to treat with their friends of New Haven, Connecticut, and Plymouth about a confederacy between them." At a time so fraught with danger from their wide dispersion on the sea-coasts and rivers, from living encompassed with people of other nations and strange languages, from a combination of the natives against the several English plantations, and by reason of the sad distractions in England from which they had no right to expect either advice or protection, "they conceived it their bounden duty without delay to enter into a present consociation among themselves for mutual help and strength, that, as in nation and religion, so in other respects they might be and continue one."

The articles of confederation, which were completed in the month of May, gave to them all the name of **THE UNITED COLONIES OF NEW ENGLAND**. For themselves and their posterity, they entered into a firm and perpetual league of offence and defence, mutual advice and succor, both for preserving and propagating the truths and liberties of the gospel, and for their mutual safety and welfare. It was established that each of them should preserve entirely to itself the "peculiar jurisdiction and government" within its own limits; and with these the confed-

eration was never "to intermeddle." The charge of all just wars, whether offensive or defensive, was to be apportioned upon the several jurisdictions according to the number of their male inhabitants from sixteen years old to threescore ; each jurisdiction being left to collect its quota according to its own custom of rating. In like equitable proportion, the advantage derived from war was to be shared. The method of repelling a sudden invasion of one of the colonies by an enemy, whether French, Dutch, or Indian, was minutely laid down. For the concluding of all affairs that concerned the whole confederation, the largest state, superior to all the rest in territory, wealth, and population, had no greater number of votes than the least ; there were to be chosen, by and out of each of the four jurisdictions, two commissioners, of whom every one was required to be "in <sup>1643.</sup> May church fellowship." These were to meet annually on the first Thursday in September, the first and fifth of every five years at Boston, the intervening years at Hartford, New Haven, and Plymouth in rotation.

At each meeting, they might choose out of themselves a president, but could endow him with no other power than to direct the comely carrying on of all proceedings. The commissioners were by a vote of three fourths of their number to determine all affairs of war, peace, and alliances ; Indian affairs ; the admission of new members into the confederacy ; the allowing of any one of the present confederates to enlarge its territory by annexing other plantations, or any two of these to join in one jurisdiction ; and " all things of like nature, which are the proper concomitants or consequents of such a confederation for amity, offence, and defence." When six of the eight commissioners could agree, their vote was to be final ; otherwise, the propositions with their reasons were to be referred to the four general courts of Massachusetts, Connecticut, Plymouth, and New Haven.

The commissioners were enjoined to provide for peace among the confederates themselves, and to secure free and speedy justice to all the confederates in each of the other jurisdictions equally as in their own. The runaway servant was to be delivered up to his master, and the fugitive from

justice to the officer in pursuit of him. The power of coercing a confederate who should break any of the articles tested with the commissioners for the other jurisdictions, "that both peace and this present confederation might be entirely preserved without violation."

"This perpetual confederation and the several articles and agreements thereof," so runs its record of May, 1643. May. 1643, "being read and seriously considered, were fully allowed and confirmed by the Massachusetts, Connecticut, and New Haven." On the seventh of the following June, Plymouth by its general court gave order "to subscribe the same in its name, and to affix thereto its seal." The confederacy possessed no direct executive power; and it remained for its several members to interpret the votes of their commissioners and to carry them into effect. Moreover, Massachusetts too greatly exceeded the others in power, and more than once unjustly opposed her reserved rights to the united decision of the three other colonies. Yet the union lived or lingered through forty years; and, after it was cut down, left the hope that a wider and better one would spring from its root.

The provision for the reception of new members into the confederacy was without results. The people beyond the Piscataqua were not admitted, because "they ran a different course" from the Puritans, "both in their ministry and in their civil administration." The desire of the plantations of Providence was rejected; and the request of the islanders of Rhode Island was equally vain, because they would not consent to form a part of the jurisdiction of Plymouth.

On the seventh of September, the commissioners of the confederacy opened their first meeting by the election of John Winthrop as their president. They allowed the right of Connecticut to colonize Long Island, and they assumed at once the office of protecting the settlements against the natives, whose power was growing more formidable in proportion as they became acquainted with the arts of civilized life, but who were, at the same time, weakened by dissensions among themselves. Now that the Pequot nation was extinct, the more quiet Narragansetts could hardly remain

at peace with the less numerous Mohegans. Anger and revenge brooded in the mind of Miantonomoh. He hated the Mohegans, for they were the allies of the English, by whom he had been arraigned as a criminal. He had suffered indignities at Boston, alike wounding to his pride as a chief, and his honor as a man. His savage wrath was kindled against Uncas, his accuser, whom he detested as doubly his enemy,—once as the sachem of a hostile tribe, and again as a traitor to the whole Indian race, the sycophant of the white men. Gathering his men suddenly together, in defiance of a treaty to which the English were parties, Miantonomoh, accompanied by a thousand warriors, fell upon the Mohegans. But his movements were as rash as his spirit was impetuous: he was defeated and taken prisoner by those whom he had doomed as a certain prey to his vengeance. By the laws of Indian warfare, the fate of the captive was death. Yet Gorton and his friends, who held their lands by a grant from Miantonomoh, interceded for their benefactor. The unhappy chief was conducted to Hartford; and the wavering Uncas, who had the strongest claims to the gratitude and protection of the English, asked the advice of the commissioners of the united colonies. Murder had ever been severely punished by the Puritans: they had at Plymouth, with the advice of Massachusetts, executed three of their own men for taking the life of one Indian; and the elders, to whom the case of Miantonomoh was referred, finding that he had, deliberately and in time of quiet, murdered a servant of the Mohegan chief; that he had fomented dissents against the English; and that, in contempt of a league, he had plunged into a useless and bloody war,—could not perceive in his career any reason for interfering to save him. Uncas received his captive, and, conveying the helpless victim beyond the limits of the jurisdiction of Connecticut, put him to death. So perished Miantonomoh, the friend of the exiles from Massachusetts, the benefactor of the fathers of Rhode Island.

The tribe of Miantonomoh burned to avenge the execution of their chief; but they feared a conflict with the English, whose alliance they vainly solicited, and who per-

severed in protecting the Mohegans. The Narragansetts at last submitted in sullenness to a peace, of which the terms were alike hateful to their independence, their prosperity, and their love of revenge.

While the commissioners, thus unreservedly and without appeal, controlled the relation of the native tribes, the spirit of autonomy was still further displayed by a direct negotiation of a treaty of peace with the governor of Acadia.

Content with the security which the confederacy afforded, the people of Connecticut desired no guarantee for their institutions from the government of England; taking care only, by a regular purchase, to obtain a title to the soil from the assigns of the Earl of Warwick. The people of Rhode Island, excluded from the colonial union, would never have maintained their existence as a separate state, had they not sought the interference and protection of the mother country; and the founder of the colony was chosen to conduct the important mission.

Embarking at Manhattan, he arrived in England about the time of the death of Hampden. The parliament had committed the affairs of the American colonies to the Earl of Warwick, as governor in chief, assisted by a council of five peers and twelve commoners. Among these commoners was Henry Vane, who welcomed the American envoy as an ancient friend. The favor of parliament was won by the “printed Indian labors of Roger Williams, the like whereof was not extant from any part of America;” and his merits as a missionary induced “both houses to grant unto him, and friends with him, a free and absolute charter of civil government for those parts of his abode.”

1644. Mar. 14. Thus were the places of refuge for “soul-liberty,” on the Narragansett Bay, incorporated, “with full power and authority to rule themselves, and such others as shall hereafter inhabit within any part of the said tract of land, by such a form of civil government as by voluntary consent of all, or the greater part of them, they shall find most suitable to their estate and condition;” “to place and

displace officers of justice, as they, or the greatest part of them, shall by free consent agree unto." To the Long Parliament, and especially to Sir Henry Vane, Rhode Island owes its existence as a political state.

A double triumph awaited Williams on his return 1644. to New England. He arrived at Boston, and letters from the parliament insured him a safe reception from those who had decreed his banishment. But what honors were prepared for the happy negotiator, on his return to the province which he had founded! As he reached Seekonk, he found the water covered with a fleet of canoes; all Providence had come forth to welcome the return of its benefactor. Receiving their successful ambassador, the group of boats started for the opposite shore; and, as they paddled across the stream, Roger Williams, placed in the centre of his grateful fellow-citizens, and glowing with the purest joy, "was elevated and transported out of himself."

And now came the experiment of the efficacy of popular sovereignty. The value of a moral principle may be tried on a small community as well as a large one; the experiment on magnetism, made with a child's toy, gives as sure a result as when the agency of that subtle power is watched in its influence on the globe. There were already several towns in the new state, filled with the strangest and most incongruous elements,—Anabaptists and Antinomians, fanatics (as its enemies asserted) and infidels; so that, if a man had lost his religious opinions, he might have been sure to find them again in some village of Rhode Island. All men were equal; all might meet and debate in the public assemblies; all might aspire to office; the people, for a season, constituted itself its own tribune, and every public law required confirmation in the primary assemblies. The little "democracie," which, at the beat of the drum or the voice of the herald, used to assemble beneath an oak or by the open seaside, was famous for its "headiness and tumults," its stormy town-meetings, and the angry feuds of its herds-men and shepherds; but, true as the needle to the pole, the popular will instinctively pursued the popular interest. Amidst the jarring quarrels of rival statesmen in the plan-

tations, good men were chosen to administer the government; and the spirit of mercy, of liberality and <sup>\* 1647.</sup> wisdom, was impressed on its legislation. "Our popularitie," say their records, "shall not, as some conjecture it will, prove an anarchie, and so a common tirannie; for we are exceeding desirous to preserve every man safe in his person, name, and estate."

Yet danger still menaced. The executive council <sup>1651.</sup> of state in England had granted to Coddington a commission for governing the islands; and such a dismemberment of the territory of the narrow state must have terminated in the division of the remaining soil between the adjacent governments. Williams again <sup>April 3.</sup> returned to England; and, with John Clarke, his colleague in the mission, was again successful. The <sup>1652.</sup> dangerous commission was vacated, and the charter <sup>Oct. 2.</sup> and union of what now forms the state of Rhode Island confirmed. The general assembly, in its gratitude, desired that Williams might himself obtain from the sovereign authority in England an appointment as governor, for a year, over the whole colony. But, if gratitude blinded the province, ambition did not blind its benevolent envoy. Williams refused to sanction a measure which would have furnished a most dangerous precedent, and was content with the honor of doing good. His success with the executive council was due to the intercession of Sir Henry Vane.

"Under God, the sheet-anchor of Rhode Island was Sir Henry."

"From the first beginning of the Providence colony," thus did the town-meeting address Sir

<sup>1654.</sup> Aug. 27. Henry Vane, "you have been a noble and true friend to an outcast and despised people; we have ever reaped the sweet fruits of your constant loving-kindness and favor. We have long been free from the iron yoke of wolvish bishops: we have sitten dry from the streams of blood spilt by the wars in our native country. We have not felt the new chains of the Presbyterian tyrants, nor in this colony have we been consumed by the over-zealous fire of the (so called) godly Christian magistrates. We have not known what an excise means; we have almost forgotten what tithes are.

We have long drunk of the cup of as great liberties as any people, that we can hear of, under the whole heaven. When we are gone, our posterity and children after us shall read, in our town records, your loving-kindness to us, and our real endeavor after peace and righteousness."

Far different were the early destinies of the province of Maine. A general court was held at Saco, <sup>1640.</sup> June 25. under the auspices of the lord proprietary, who had drawn upon paper a stately scheme of government, with deputies and counsellors, a marshal and a treasurer of the public revenue, chancellors, and a master of the ordnance, and every thing that the worthy old man <sup>1642.</sup> Mar. 1. deemed essential to his greatness. Sir Ferdinando had "travailed in the cause above forty years," and expended above twenty thousand pounds; yet all the regalia which Thomas Gorges, his trusty and well-beloved cousin and deputy, could find in the principality, were not enough for the scanty furniture of a cottage. Agamenticus, though in truth but "a poor village," soon became a chartered borough; like another Romulus, the veteran soldier resolved to perpetuate his name, and, under the name of Gorgeana, the land round York became as good a city as seals and parchment, a nominal mayor and aldermen, a chancery court and a court-leet, sergeants and white rods, can make of a town of less than three hundred inhabitants and its petty officers. Yet the nature of Gorges was generous, and his piety sincere. He sought pleasure in doing good; fame, by advancing Christianity among the heathen; a durable monument, by erecting houses, villages, and towns. The contemporary and friend of Raleigh, he adhered to schemes in America for almost half a century; and, long after he became convinced of their unproductiveness, was still bent on plans of colonization, at an age when other men are but preparing to die with decorum. Firmly attached to the monarchy, he never disobeyed his king, except that, as a churchman and a Protestant, he refused to serve against the Huguenots. When the wars in England broke out, the septuagenarian royalist buckled on his armor and gave his last strength to the defence of the unfortunate Charles. In America, his

fortunes had met with a succession of untoward events. The patent for Lygonia had been purchased by Rigby, a republican member of the Long Parliament; and a dispute ensued between the deputies of the respective proprietaries. In vain did Cleaves, the agent of Rigby, solicit the assistance of Massachusetts; the colony warily refused to take part in the strife. Both aspirants now solicited the Bay magistrates to act as umpires. The cause was learnedly argued in Boston, and the decree of the court was oracular. Neither party was allowed to have a clear right; and both were enjoined to live in peace. But how could Vines and Cleaves assert their authority? On the death of Gorges, the people repeatedly wrote to his heirs. No answer was received; and such commissioners as had authority from Europe gradually withdrew. There was no relief for the colonists but in themselves; and the inhabitants of Piscataqua, Gorgeana, and Wells, following the American precedent, with free and unanimous consent formed themselves into a body politic for the purposes of self-government. Massachusetts readily offered its protection. The great charter of the Bay company was unrolled before the general court in Boston; and, "upon perusal of the instrument, it was voted that this jurisdiction extends from the northernmost part of the river Merrimack, and three miles more, north, be it one hundred miles, more or lesse, from the sea; and then upon a straight line east and west to each sea." The words were precise. Nothing remained but to find the latitude of a point three miles to the north of the remotest waters of the Merrimack, and to annex the territory of Maine which lies south of that parallel; for the grant to Massachusetts was prior to the patents under which Rigby and the heirs of Gorges had been disputing. The "en-grasping" Massachusetts promptly despatched commissioners to the eastward to settle the government. The remonstrances of Edward Godfrey, then governor of the province, a loyal friend to the English monarchy and the English church, were disregarded; and one town after

another, yielding in part to menaces and armed force, gave in its adhesion. Great care was observed to guard the rights of property; every man was confirmed in his possessions; the religious liberty of the Episcopalians was left unharmed; the privileges of citizenship were extended to all inhabitants; and the eastern country gradually, yet reluctantly, submitted to the necessity of the change. When the claims of the proprietaries in England were urged before Cromwell, many inhabitants of the towns of York, Kittery, Wells, Saco, and Cape Porpoise, yet not a <sup>1656.</sup> majority, remonstrated. To sever them from Massachusetts would be to them "the subverting of all civil order."

By following the most favorable interpretation of its charter, Massachusetts extended its frontier to the islands in Casco Bay. Within the year after the confederation of the four Calvinist colonies, the government of Massachusetts was brought nearer to its present form. The discontent of the deputies at the separate negative of the assistants came to its height, when, on an appeal to the general court, the assistants and the deputies sitting together reversed a decision of the lower court, and the assistants, by their separate act; immediately restored it.

The time had come for a change; but, instead of <sup>March.</sup> the old proposition to take from the magistrates their negative, and so introduce the system of one irresponsible, absolute chamber, better thoughts arose, and, "as the groundwork for government and order in the issuing of business of greatest and highest consequence," it was agreed that the magistrates and deputies should sit in separate chambers, each of which should have the right to originate orders and laws, and each have a negative on the acts of the other. So far the form of the Massachusetts government was established as it now exists; but as yet no separate negative was allowed to the governor.

With the increase of English freedom, the dangers which had menaced Massachusetts appeared to pass away; its government began to adventure on a more lenient policy; the sentence of exile against Wheelwright was rescinded; a proposition was made to extend the franchises of the com-

pany to those who were not church members, provided "a civil agreement among all the English could be formed" for asserting the common liberty. For this purpose, letters were written to the confederated states; but the want of concert defeated the plan. The law which, nearly at the same time, threatened obstinate Anabaptists with exile, was not designed to be enforced. "Anabaptism," says Jeremy Taylor, in his famous argument for liberty, "is as much to be rooted out as any thing that is the greatest pest and nuisance to the public interest." The fathers of Massachusetts reasoned more mildly. The dangers apprehended from some wild and turbulent spirits, "whose conscience and religion seemed only to sett forth themselves and raise contentions in the country, did provoke us"—such was their language at the time—"to provide for our safety by a law, that all such should take notice how unwelcome they should be unto us, either comeing or staying. But 1640 for such as differ from us only in judgment, and live peaceably amongst us, such have no cause to complain; for it hath never beene as yet putt in execution against any of them, although such are known to live amongst us." Even two of the presidents of Harvard College were Anabaptists.

While dissenters were thus treated with an equivocal toleration, no concessions were made towards the government in England. It was the creed of even the most loyal deputy, that, "if the king, or any party from him, should attempt any thing against this commonwealth," it was the common duty "to spend estate, and life, and all, without scruple, in its defence;" that "if the parliament itself should hereafter be of a malignant spirit, then, if the colony have strength sufficient, it may withstand any authority from thence to its hurt." Massachusetts called itself "a 1644. perfect republic." Nor was the expression a vain boast. The commonwealth, by force of arms, preserved in its harbors a neutrality between the ships of the opposing English factions; and the law, which placed death as the penalty on any "attempt at the alteration of the frame of polity fundamentally," was well understood to be aimed

at those who should assert the supremacy of the English parliament. The establishment of a mint, in 1652, was a further exercise of sovereignty.

Whilst the public mind was agitated with discussions on liberty of conscience and independence of English jurisdiction, the community, in this infancy of popular government, was disturbed with a third "great question about the authority of the magistrates and the liberty of the people."

The oldest dispute in the colony related to the grounds and limits of the authority of the governor. In Boston, on occasion of dividing the town lands, "men of the inferior sort were chosen." Eliot, the apostle of the Indians, maintained that treaties should not be made without consulting the commons. The doctrine of rotation in office was asserted, even to the neglect of Winthrop, "lest there should be a governor for life." When one of the elders proposed that the place of governor should be held for life, the deputies immediately resolved that no magistrate of any kind should be elected for more than a year. The magistrates once, assembling in a sort of aristocratic caucus, nominated several persons for office; and every one of the candidates thus proposed was rejected. On the other hand, when one of the ministers attempted to dissuade the freemen from choosing the same officers twice in succession, they disliked the interference of the adviser more than they loved the doctrine of frequent change, and re-elected the old magistrates almost without exception. The condition of a new colony which discarded the legislation of the mother country necessarily left many things to the opinions of the executive. The people were loud in demanding a government of law, and not of discretion. No sooner had Winthrop pleaded against the establishment of an exact penalty for every offence,—because justice, not less than mercy, imposed the duty of regulating the punishment by the circumstances of the case,—than they raised the cry of arbitrary power, and refused the hope of clemency, when it was to be obtained from the capricious judgments of a magistrate. The authority exercised by the

assistants during the intervals between the sessions  
1644 became a subject of apprehension. A majority of the deputies proposed to substitute a joint commission.

The proposition being declined as inconsistent with the patent, they then desired to reserve the question for further deliberation. When to this it was answered that, in the mean time, the assistants would act according to the power and trust which they claimed by the charter, the deputies immediately rejoined, by their speaker, Hawthorne : " You will not be obeyed."

Such had been the progress of public opinion,  
1645 when the popular party felt a consciousness of so great strength as to desire a struggle with its opponents. The opportunity could not long be wanting. The executive magistrates, accustomed to tutelary vigilance over the welfare of the towns, had set aside a military election in Hingham. There had been, perhaps, in the proceedings, sufficient irregularity to warrant the interference. The affair came before the general court. " Two of the magistrates and a small majority of the deputies were of opinion that the magistrates exercised too much power, and that the people's liberty was thereby in danger ; while nearly half the deputies, and all the rest of the magistrates, judged that authority was over-much slighted, which, if not remedied, would endanger the commonwealth and introduce a mere democracy." The two branches being thus at variance, a reference to the arbitration of the elders was proposed. But " to this the deputies would by no means consent ; for they knew that many of the elders were more careful to uphold the honor and power of the magistrates than themselves well liked of." The angry conferences of a long session followed. But the magistrates, sustained by the ministers, excelled the popular party in firmness and in self-possession. The latter lost ground by joining issue on a question where its own interest eventually required its defeat.

The root of the disturbance at Hingham existed in " a presbyterian spirit," which opposed the government of the colonial commonwealth. Some of those who pleaded the

laws of England against the charter and the administration in Massachusetts had been committed by Winthrop, then deputy governor, for contempt of the established authority. It was proposed to procure their release by his impeachment. Hitherto the enemies of the state had united with the popular party, and both had assailed the charter as the basis of magisterial power; the former with the view of invoking the interposition of England, the latter in the hope of increasing popular liberty. But the citizens would not, even in the excitement of political divisions, wrong the purest of their leaders, and the factious elements were rendered harmless by decomposition. Winthrop appeared at the bar only to triumph in his acquittal, while his false accusers were punished by fines. "Civil liberty," said the noble-minded man, in "a little speech" on resuming his seat upon the bench, "is the proper end and object of authority, and cannot subsist without it. It is a liberty to that only which is good, just, and honest. This liberty you are to stand for with the hazard not only of your goods, but, if need be, of your lives. Whatsoever crosseth this is not authority, but a distemper thereof."

It now became possible to adjust the long-continued difference by a compromise. The power of the magistrates over the militia was diminished by law; but though the magistrates themselves were by some declared to be but public servants, holding "a ministerial office," and though it became a favorite idea that all authority resides essentially with the people in their body representative, yet the Hingham disturbers were punished by heavy fines, while Winthrop and his friends retained, what they deserved, the affectionate confidence of the colony.

The court of Massachusetts was ready to concede the enjoyment of religious worship under Presbyterian forms; yet its discontented enemies, defeated in their hope of a union with the popular party, determined to rally on the principle of liberty of conscience. The attempt was artful, for that principle had been rapidly making progress. Many books had come from England in defence of toleration. Many of the court were well inclined to suspend the laws

against Anabaptists, and the order subjecting strangers to the supervision of the magistrates; and Winthrop thought that "the rule of hospitality required more moderation and indulgence." In Boston, a powerful liberal party already openly existed. But now the apparent purpose of advancing religious freedom was made to disguise measures of the deadliest hostility to the frame of civil government. The nationality of New England was in danger. William Vassal, of Scituate, was the chief of the "busy and factious spirits, always opposite to the civil governments of the country and the way of its churches;" and at the same time, through his brother, a member of the Long Parliament and of the commission for the colonies, he possessed influence in England.

The new party desired to subvert the charter government, and introduce a general governor from England. They endeavored to acquire strength by rallying all the materials of opposition. The friends of Presbyterianism, which was become the ruling power in the English parliament, were soothed by hopes of a triumph; the democratic party was assured that the government should be more popular; while the penurious were provoked by complaints of unwise expenditures and intolerable taxations. But the people refused to be deceived; the petition to the general court for redress of grievances had with difficulty obtained the signatures of seven men, and of these some were sojourners in the colony, who desired only an excuse for appealing to England. Written in a spirit of wanton insult, it introduced every topic that had been made the theme of party discussion, and asserted that there existed in the country no settled form of government according to the laws of England. An entire revolution was demanded; "if not," add the remonstrants, "we shall be necessitated to apply our humble desires to both houses of parliament;" and there was fear that they would obtain a favorable hearing before the body whose authority they labored to enlarge.

Gorton had carried his complaints to the mother country, and, though unaided by personal influ-

ence or by powerful friends, had succeeded in all his wishes. At this very juncture, an order respecting his claims arrived in Boston, and was couched in terms which involved an assertion of the right of parliament to reverse the decisions and control the government of Massachusetts, and so struck at the groundwork of the rising commonwealth. Had the Long Parliament succeeded in revoking the patent of Massachusetts, the Stuarts, on their restoration, would have found not one chartered government in the colonies, and the tenor of American history would have been changed. The people rallied with great unanimity in support of their magistrates. A law had been drawn up, conferring on all residents equal power in town affairs, and enlarging the constituency of the state. It was deemed safe to defer the enactment till the present controversy should be settled; the order against Anabaptists was likewise left unpealed; and, notwithstanding strong opposition from the friends of toleration in Boston, it was resolved to convene a synod to give counsel on the permanent settlement of the ecclesiastical polity.

In November, 1646, the general court assembled <sup>1646.</sup> <sup>Nov. 4.</sup> for the discussion of the usurpations of parliament and the dangers from domestic treachery. The elders did not fail to attend in the gloomy season. One faithless deputy was desired to withdraw; and then, with closed doors that the consultation might remain in the breast of the court, the nature of the relation with England was made the subject of debate. After much deliberation, it was agreed that Massachusetts owed to England the same allegiance as the free Hanse Towns had rendered to the empire; as Normandy, when its dukes were kings of England, had paid to the monarchs of France. It was also resolved not to accept a new charter from the parliament, for that would imply a surrender of the old. Besides, parliament granted none but by way of ordinance, which the king might one day refuse to confirm, and always made for itself an express reservation of "a supreme power in all things." The elders, after a day's consultation, confirmed the decisions: "If parliament should be

less inclinable to us, we must wait upon Providence for the preservation of our just liberties."

The colony then proceeded to exercise the independence which it claimed. The general court summoned the disturbers of the public security into its presence. Robert Childe and his companions appealed to the commissioners in England. The appeal was not admitted. "The charter," he urged, "does but create a corporation within the realm, subject to English laws." "Plantations," replied the court, "are above the rank of an ordinary corporation; they have been esteemed other than towns, yea, than many cities. Colonies are the foundations of great commonwealths. It is the fruit of pride and folly to despise the day of small things."

To the parliament of England, which was then Presbyterian, the legislature remonstrated with the noblest frankness against any assertion of the paramount authority of that body.

"An order from England," say they, "is prejudicial to our chartered liberties, and to our well-being in this <sup>1646.</sup> remote part of the world. Times may be changed;

<sup>Dec.</sup> for all things here below are subject to vanity, and other princes or parliaments may arise. Let not succeeding generations have cause to lament and say, England sent our fathers forth with happy liberties, which they enjoyed many years, notwithstanding all the enmity and opposition of the prelacy, and other potent adversaries; and yet these liberties were lost in the season when England itself recovered its own. We rode out the dangers of the sea: shall we perish in port? We have not admitted appeals to your authority, being assured they cannot stand with the liberty and power granted us by our charter, and would be destructive to all government. These considerations are not new to the high court of parliament, the records whereof bear witness of the wisdom and faithfulness of our ancestors in that great council, who, in those times of darkness when they acknowledged a supremacy in the Roman bishops in all causes ecclesiastical, yet would not allow appeals to Rome.

"The wisdom and experience of that great council, the

English parliament, are more able to prescribe rules of government and judge causes than such poor rustics as a wilderness can breed up; yet the vast distance between England and these parts abates the virtue of the strongest influences. Your councils and judgments can neither be so well grounded, nor so seasonably applied, as might either be useful to us, or safe for yourselves, in your discharge, in the great day of account. If any miscarriage shall befall us when we have the government in our own hands, the state of England shall not answer for it.

“Continue your favorable aspect to these infant plantations, that we may still rejoice and bless our God under your shadow, and be there still nourished with the warmth and dews of heaven. Confirm our liberties; discountenance our enemies, the disturbers of our peace under pretence of our injustice. A gracious testimony of your wonted favor will oblige us and our posterity.”

In the same spirit, Edward Winslow, the agent for Massachusetts in England, publicly denied that the jurisdiction of parliament extended to America. “If the parliament of England should impose laws upon us, having no burgesses in the house of commons, nor capable of a summons by reason of the vast distance, we should lose the liberties and freedom of English indeed.” It marks an honest love of liberty and of justice in the Long Parliament, that the doctrine of colonial equality was received with favor. “Sir Henry Vane, though he might have taken occasion against the colony for some dishonor which he apprehended to have been unjustly put upon him there, yet showed himself a true friend to New England, and a man of a noble and generous mind.” After ample deliberation, the 1647. committee of parliament magnanimously replied: “We encourage no appeals from your justice. We leave you with all the freedom and latitude that may, in any respect, be duly claimed by you.”

Such were the arts by which Massachusetts preserved its liberties. Its magistrates were sustained with great unanimity; hardly five-and-twenty persons could be found in the whole jurisdiction to join in a complaint against

the strictness of the government; and when the discontented introduced the dispute into the elections, their candidates were defeated by an overwhelming majority.

The harmony of the people had been confirmed by the courage of the elders, who gave fervor to the enthusiasm of patriotism. "It had been as unnatural for a right New England man to live without an able ministry as for a smith to work his iron without a fire." The union between the elders and the state could not, therefore, but become more intimate than ever; and religion was venerated and cherished as the security against political subserviency. When the synod met by adjournment, it was by the common consent of all the Puritan colonies that a system of church government was established for the congregations. The platform retained authority for more than a century, and has not yet lost its influence. It excluded the Presbyterian modes of discipline from New England.

<sup>1650 to 1655.</sup> The Long Parliament asserted its power over the royalist colonies in general terms, which seemed alike to threaten the plantations of the north; and, after royalty was abolished, it invited Massachusetts to receive a new patent, and to hold courts and issue warrants in its name. But the men of that commonwealth were too wary to merge their rights in the acts of a government of which the decline seemed approaching. In a public state paper, they refused to submit to its requisitions, and yet never carried their remonstrance beyond the point which their charter appeared to them to warrant.

<sup>1651.</sup> After the successes of Cromwell in Ireland, he voluntarily expressed his interest in New England, by offering its inhabitants estates and a settlement in the island which his arms had subdued. His offers were declined; for the emigrants loved their land of refuge, where their own courage and toils had established "the liberties of the gospel in its purity." Our government, they said among themselves, "is the happiest and wisest this day in the world."

<sup>1651 to 1654.</sup> The war between England and Holland hardly disturbed the tranquillity of the colonies. The western

settlements, which would have suffered extreme misery from a combined attack of the Indians and the Dutch, were earnest for attempting to reduce New Amsterdam, and thus to carry the boundary of New England to the Delaware. At a meeting of the commissioners at Boston, three of the four united colonies declared for war; yet the dissentient Massachusetts interposed delay; cited the opinions of its elders that "it was most agreeable to the gospel of peace and safest for the colonies to forbear the use of the sword;" and at last refused to be governed by the decision. The refusal was a plain breach of covenant, and led to earnest remonstrance and altercations. The nature of the reserved rights of the members of the confederacy became the subject of animated discussion; and the union would have come to an end, had not Massachusetts receded, though tardily, from her interpretation of the articles; but in the mean time the occasion for war with Manhattan had passed away.

A ship which had a short passage brought word <sup>1654.</sup> that the European republics had composed their strife, before the English fleet, which was sent against New Netherland, reached America. There was peace between England and France; yet the English forces, turning to the north, made the easy conquest of Acadia, an acquisition which no remonstrance or complaint could induce the protector to restore.

The inhabitants of New England ever enjoyed the confidence of Cromwell. They were satisfied that his battles were the battles of the Lord; and "the spirits of the brethren were carried forth in faithful and affectionate prayers in his behalf." Cromwell, in return, confessed to them that the battle of Dunbar, where "some, who were godly," were fought into their graves, was, of all the acts of his life, that on which his mind had the least quiet; and he declared himself "truly ready to serve the brethren and the churches" in America. The declaration was sincere. The people of New England were ever sure that Cromwell would listen to their requests, and would take an interest in the details of their condition. He left them independence, and favored their trade. When in 1655 <sup>1655.</sup>

his arms had made the conquest of Jamaica, he offered them the island, and they never forfeited his regard.

1655. The American colonies remember the years of his power as the period when British sovereignty was for them free from rapacity, intolerance, and oppression. He may be called the benefactor of the English in America; for in his time they enjoyed unshackled the benevolence of Providence, freedom of industry, of commerce, of religion, and of government.

Yet the Puritans of New England perceived that their security rested on the personal character of the protector, and that other revolutions were ripening; they, therefore, never allowed their vigilance to be lulled. With the influence of the elders, the spirit of independence was confirmed; but the evils ensued that are in some measure inseparable from a religious establishment; a distinct interest grew up under the system; the severity of the laws was sharpened against infidelity on the one hand, and sectarianism on the other; nor can it be denied, nor should it be concealed, that the elders, especially Wilson and Norton, instigated and sustained the government in its worst cruelties.

Where the mind is left free, religion can never have dangerous enemies, for no class has then a motive to attempt its subversion; while the interests of society demand a foundation for the principles of justice and benevolence. Atheism is a folly of the metaphysician, not the folly of human nature. Of savage life, Roger Williams declared that he had never found one native American who denied the existence of a God; in civilized life, when it was said of the court of Frederic, that the place of king's atheist was vacant, the gibe was felt as the most biting sarcasm. Infidelity gains the victory, when it wrestles with hypocrisy or with superstition, but never when its antagonist is reason. Men revolt against the oppressions of superstition, the exactions of ecclesiastical tyranny, but never against religion itself. When an ecclesiastical establishment, under the heaviest penalties, requires universal conformity, some consciences are oppressed and wronged. If the wrong is

excessive, intellectual servitude is followed by consequences analogous to those which ensue on the civil slavery of the people; the mind, as it bursts its fetters, is clouded by a sense of injury; the judgment is confused; and, in the zeal to resist a tyranny, passion attempts to sweep away every form of religion. Bigotry commits the correlative error, when it endeavors to control opinion by positive statutes, to substitute the terrors of law for convincing argument. It is a crime to resist truth under pretence of resisting injurious power; it is equally a crime to enslave the human understanding, under pretence of protecting religion. The reckless mind, rashly hurrying to the warfare against superstition, has often, though by mistake, attacked intelligence itself; but religion, of itself alone, never had an enemy, except indeed as there have been theorists, whose harmless ingenuity has denied all distinction between right and wrong, between justice and its opposite. Positive enactments against irreligion, like positive enactments against fanaticism, provoke the evil which they were designed to prevent. Danger is inviting. If left to himself, he that vilifies the foundations of morals and happiness does but publish his own unworthiness. A public prosecution is a mantle to cover his shame; for to suffer for opinion's sake is courageous; and courage is always an honorable quality.

The conscientious austerity of the colonists, invigorated by the love of power, led to a course of legislation, which, if it was followed by the melancholy result of bloodshed, was also followed, among the freemen of the New World, by emancipation from bigotry, achieved without any of the excesses of intolerant infidelity. The inefficiency of fanatic laws was made plain by the resistance of a still more stubborn fanaticism.

Saltonstall wrote from Europe that, but for their severities, the people of Massachusetts would have been "the eyes of God's people in England." The consistent Sir Henry Vane had urged that "the oppugners of 1651. the Congregational way should not, from its own principles and practice, be taught to root it out." "It

were better," he added, "not to censure any persons for matters of a religious concernment." The elder Winthrop had, I believe, relented before his death, and professed himself weary of banishing heretics; the soul of the younger Winthrop was incapable of harboring a thought of intolerant cruelty; but the rugged Dudley was not mellowed by old age. "God forbid," said he, "our love for the truth should be grown so cold that we should tolerate errors. — I die no libertine." "Better tolerate hypocrites and tares than thorns and briars," affirmed Cotton. "Polypiety," echoed Ward, "is the greatest impiety in the world. To say that men ought to have liberty of conscience is impious ignorance." "Religion," said the melancholic Norton, "admits of no eccentric motions." But the people did not entirely respond to these extravagances, into which the bigotry of personal interest betrayed the elders; and the love of unity, so favorable to independence, betrayed the leading men. The topic of the power of the civil magistrate in religious affairs was become the theme of perpetual discussion; and it needed all the force of established authority to sustain the doctrine of persecution. Massachusetts was already in the state of transition, and it was just before expiring that bigotry, with convulsive energy, exhibited its worst aspect; just as the waves of the sea are most tumultuous when the wind is subsiding and the tempest is yielding to a calm.

Anabaptism was to the establishment a dangerous rival. When Clarke, the pure and tolerant Baptist of Rhode Island, one of the happy few who have connected their name with the liberty and happiness of a commonwealth,

began to preach to a small audience in Lynn, he was <sup>1651.</sup> seized by the civil officers. Being compelled to attend public worship with the congregation of the town, he expressed his aversion by a harmless indecorum, which would have been without excuse, had his presence been voluntary. He and his companions were tried, and condemned to pay a fine of twenty or thirty pounds; and Holmes, who refused to pay his fine, was whipped unmercifully.

Since a particular form of worship had become a part of the civil establishment, irreligion was now to be punished as a civil offence. The state was a model of Christ's kingdom on earth; treason against the civil government was treason against Christ; and reciprocally, as the gospel had the right paramount, blasphemy, or what a jury should call blasphemy, was the highest offence in the catalogue of crimes. To deny any book of the Old or New Testament to be the written and infallible word of God was punishable by fine or by stripes, and, in case of obstinacy, by exile or death. Absence from "the ministry of the word" was punished by a fine.

By degrees the spirit of the establishment began 1653. to subvert the fundamental principles of Independence. The liberty of prophesying was refused, except the approbation of four elders, or of a county court, had been obtained. Remonstrance was useless. The union of church and state was fast corrupting both: it mingled base ambition with the former; it gave a false direction to the legislation of the latter. And in 1658 the 1658. general court claimed for itself, for the council, and for any two organic churches, the right of silencing any person who was not as yet ordained. The creation of a national, uncompromising church led the Congregationalists of Massachusetts to the indulgence of the passions which had disgraced their English persecutors; and Laud was justified by the men whom he had wronged.

But if the Baptists were feared, as professing doctrines tending to disorganize society, how much more reason was there to dread such emissaries of the Quakers as appeared in Massachusetts! The early Quakers in New England displayed little of the mild philosophy, the statesman-like benevolence, of Penn; though they possessed the virtue of passive resistance in perfection. Left to themselves, they appeared like a motley tribe of persons, half fanatic, half insane; without consideration, and without definite purposes. Persecution called them forth to show what intensity of will can dwell in the depths of the human heart. They were like those weeds which are unsightly to the

eye, and which only when trampled give out precious perfumes.

The rise of "the people called Quakers" was one of the most remarkable results of the Protestant revolution. It was a consequence of the aspiration of the human mind for a perfect emancipation, after the long reign of bigotry and superstition. It grew up with men who were impatient at the slow progress of the Reformation, the tardy advances of intellectual liberty. A better opportunity will offer for

explaining its influence on American institutions. It  
<sup>1656.</sup> <sub>July.</sub> was in the month of July, 1656, that two of its

members, Mary Fisher and Ann Austin, arrived in the road before Boston. There was as yet no statute respecting Quakers; but, on the general law against heresy, their trunks were searched, and their books burnt by the hangman; "though no token could be found on them but of innocence," their persons were examined in search of signs of witchcraft; and, after five weeks' close imprisonment, they were thrust out of the jurisdiction. Eight others were, during the year, sent back to England. The rebuke enlarged the ambition of Mary Fisher; she repaired alone to Adrianople, and delivered a message to the Grand Sultan. The Turks thought her crazed, and she passed through their army "without hurt or scoff."

Yet the next year, although a special law now  
<sup>1657.</sup> prohibited the introduction of Quakers, Mary Dyer, an Antinomian exile, and Ann Burden, came into the colony; the former was claimed by her husband, and taken to Rhode Island; the latter was sent to England. A woman who had come all the way from London, to warn the magistrates against persecution, was whipped with twenty stripes. Some, who had been banished, came a second time; they were imprisoned, whipped, and once more sent away, under penalty of further punishment, if they returned again. A fine was imposed on such as should entertain any "of the accursed sect;" and a Quaker, after the first conviction, was to lose one ear, after the second another, after the third to have the tongue bored with a red-hot iron. It was but for a very short time that the

menace of these enormities found place in the statute-book. The colony was so ashamed of the order for mutilation that it was soon repealed, and was never printed. But this legislation was fruitful of results. Quakers swarmed where they were feared. They came expressly because they were not welcome, and threats were construed as invitations. A penalty of ten shillings was imposed on every person for being present at a Quaker meeting, and of five pounds for speaking at such a meeting. In the execution of the laws, the pride of consistency involved the magistrates in acts of extreme cruelty.

1658.  
May.

The government of Massachusetts at length resolved to follow the advice of the commissioners for the United Colonies, from which the younger Winthrop alone had dissented. Willing that the Quakers should live in peace in any other part of the wide world, yet desiring to deter them effectually from coming within its jurisdiction, the general court, after much resistance, and by a majority of but a single vote, banished them on pain of death. "For the security of the flock," said Norton, "we pen up the wolf; but a door is purposely left open whereby he may depart at his pleasure." Vain legislation! and frivolous apology! The soul, by its freedom and immortality, preserves its convictions or its frenzies even amidst the threat of death.

It has been attempted to excuse the atrocity of the law, because the Quakers avowed principles that seemed subversive of social order. Any government might, on the same grounds, find in its unreasonable fears an excuse for its cruelties. The argument justifies the expulsion of the Moors from Spain, of the Huguenots from France; and it forms a complete apology for Laud, who was honest in his bigotry, persecuting the Puritans with the same good faith with which he recorded his dreams. The fears of one class of men are not the measure of the rights of another.

It is said the Quakers themselves rushed on the sword, and were suicides. If it were so, the men who held the sword were accessories to the crime.

It is true that some of the Quakers were extravagant

and foolish ; they cried out from the windows at the magistrates and ministers that passed by, and mocked the civil and religious institutions of the country. They riotously

interrupted public worship ; and women, forgetting 1858. the decorum of their sex, and claiming a divine origin

for their absurd caprices, smeared their faces, and even went naked through the streets. Indecency, however, is best punished by slight chastisements. The house of Folly has perpetual succession ; yet, numerous as is the progeny, each individual of the family is very short-lived, and dies the sooner where its extravagance is excessive. A fault against manners may not be punished by a crime against nature.

The act itself admits of no defence ; the actors can plead no other justification than delusion. Prohibiting the arrival of Quakers was not persecution ; and banishment is a term hardly to be used of one who has not acquired a home. When a pauper is sent to his native town, he is not called an exile. A ship from abroad, which should enter the harbor of Marseilles against the order of the health-officer, would be sunk by the guns of the fort. The government of Massachusetts applied similar quarantine rules to the morals of the colony, and would as little tolerate what seemed a ruinous heresy as the French would tolerate the plague : I do not plead the analogy ; the cases are as widely different as the world of action and the world of thought ; I desire only to relate facts with precision. The ship suspected of infection might sail for another port ; and the Quaker, if he came once, was sent away ; if he came again, was sentenced to death, and then might still quit the jurisdiction on a promise of returning no more. Servetus did but desire leave to continue his journey. The inquisition hearkened to secret whispers for grounds of accusation ; the magistrates of Massachusetts left all in peace but the noisy brawlers, and left to them the opportunity of escape. For four centuries, Europe had maintained that heresy should be punished by death. In Spain, more persons have been burnt for their opinions than Massachusetts then contained inhabitants. Under Charles V., in the Netherlands

alone, the number of those who were hanged, beheaded, buried alive, or burnt, for religious opinion, was fifty thousand, says Father Paul; the whole carnage, says Grotius, included not less than one hundred thousand; and skepticism has not reduced the tale below twenty thousand. The four, of whose death New England was guilty, fell victims rather to the contest of will than to the opinion that Quakerism was a capital crime.

Of four persons ordered to depart the jurisdiction on pain of death, Mary Dyer, a firm disciple of Ann Hutchinson, whose exile she had shared, and Nicholas Davis obeyed. Marmaduke Stephenson and William Robinson had come on purpose to offer their lives; instead of departing, they went from place to place "to build up their friends in the faith." In October, Mary Dyer returned. Thus there were three persons arraigned on the sanguinary law. Robinson pleaded in his defence the special message and command of God. "Blessed be God, who calls me to testify against wicked and unjust men." Stephenson refused to speak till sentence had been pronounced; and then he imprecated a curse on his judges. Mary Dyer exclaimed: "The will of the Lord be done;" and returned to the prison "full of joy." From the jail she wrote a remonstrance. "Were ever such laws heard of among a people that profess Christ come in the flesh? Have you no other weapons but such laws to fight against spiritual wickedness withal, as you call it? Woe is me for you. Ye are disobedient and deceived. Let my request be as Esther's to Ahásuerus. You will not repent that you were kept from shedding blood, though it was by a woman." The three were led forth to execution. "I die for Christ," said Robinson; "We suffer not as evil-doers, but for conscience' sake," were the last words of his companion. Mary Dyer was reprieved; yet not till the rope had been fastened round her neck, and she had prepared herself for death. Transported with enthusiasm, she exclaimed: "Let me suffer as my brethren, unless you will annul your wicked law." She was conveyed out of the colony; but, soon returning, she also was hanged on

Boston common. "We desired their lives absent, rather than their deaths present," was the miserable apology for these proceedings.

These cruelties excited great discontent. Yet William Leddra was put upon trial for the same causes. While the trial was proceeding, Wenlock Christison, already banished on pain of death, entered the court, and struck dismay into the judges, who found their severities ineffectual. Leddra was desired to accept his life, on condition of promising to come no more within the jurisdiction. He refused, and was hanged.

Christison met his persecutors with undaunted courage. "By what law," he demanded, "will ye put me to death?" "We have a law," it was answered, "and by it you are to die." "So said the Jews to Christ. But who empowered you to make that law?" "We have a patent, and may make our own laws." "Can you make laws repugnant to those of England?" "No." "Then you are gone beyond your bounds. Your heart is as rotten towards the king as towards God. I demand to be tried by the laws of England, and there is no law there to hang Quakers." "The English banish Jesuits on pain of death; and with equal justice we may banish Quakers." The jury returned a verdict of guilty. Wenlock replied: "I deny all guilt; my conscience is clear before God." The magistrates were divided in pronouncing sentence; the vote was put a second time, and there appeared a majority for the doom of death. "What do you gain," cried Christison, 1658. "by taking Quakers' lives? For the last man that ye put to death, here are five come in his room. If ye have power to take my life, God can raise up ten of his servants in my stead."

The voice of the people had always been averse to bloodshed; the magistrates, infatuated for a season, became convinced of their error; Wenlock, with twenty-seven of his friends, was discharged from prison; and the doctrine of toleration, with the pledges of peace, hovered like the dove at the window of the ark, waiting to be received into its rightful refuge.

The victims of intolerance met death bravely ; they would be entitled to perpetual honor, were it not that their own extravagances occasioned the foul enactment, to repeal which they laid down their lives. Far from introducing religious charity, their conduct irritated the government to pass the laws of which they were the victims ; and causes were already in action which were fast substituting the charity of intelligence for bigotry. It was ever 1642. the custom, and it soon became the law, in Puritan New England, that “none of the brethren shall suffer so much barbarism in their families as not to teach their children and apprentices so much learning as may enable them perfectly to read the English tongue.” “To the end that learning may not be buried in the graves of our fore-fathers,” in 1647 it was ordered in all the Puritan 1647. colonies “that every township, after the Lord hath increased them to the number of fifty householders, shall appoint one to teach all children to read and write ; and where any town shall increase to the number of one hundred families, they shall set up a grammar school ; the masters thereof being able to instruct youth so far as they may be fitted for the university.” The press began its work in 1639. “When New England was poor, and they were but few in number, there was a spirit to encourage learning.” The infant institution of Harvard College was a favorite from its beginning ; Connecticut and Plymouth, and the towns in the east, often contributed offerings to promote the success of that “school of the prophets,” the morning star of science in the western wilderness ; the gift of the rent of a ferry was a proof of the care of the state ; and once, at least, every family in each of the 1645. colonies gave to the college at Cambridge twelve-pence, or a peck of corn, or its value in unadulterated wampum peag ; while the magistrates and wealthier men were profuse in their liberality. The college, in return, assisted in forming the early character of the country. In this, at least, it can never have a rival. In these measures, especially in the laws establishing common schools, lies the secret of the success and character of New England. Every

child, as it was born into the world, was lifted from the earth by the genius of the country, and, in the statutes of the land, received, as its birthright, a pledge of the public care for its morals and its mind.

There are some who love to enumerate the singularities of the early Puritans. They were opposed to wigs ; they could preach against veils ; they denounced long hair ; they disliked the cross in the banner, as much as the people of Paris disliked the lilies of the Bourbons. They would not allow Christmas to be kept sacred ; they called neither months, nor days, nor seasons, nor churches, nor inns, by the names common in England ; they revived Scripture names at christenings. The grave Romans legislated on the costume of men, and their senate could even stoop to interfere with the triumphs of the sex to which civic honors are denied : the fathers of New England prohibited frivolous fashions in their own dress ; and their austerity, checking extravagance even in woman, frowned on her hoods of silk and her scarfs of tiffany, extended the length of her sleeve to the wrist, and limited its greatest width to half an ell. The Puritans were formal and precise in their manners ; singular in the forms of their legislation ; rigid in the observance of their principles. Every topic of the day found a place in their extemporaneous prayers, and infused a stirring interest into their long and frequent sermons. The courts of Massachusetts respected in practice the code of Moses ; the island of Rhode Island followed for a year or two Jewish precedents ; in New Haven, the members of the constituent committee were called the seven pillars, hewn out for the house of wisdom. But these are only the outward forms, which gave to the new sect its marked exterior. If from the outside peculiarities, which so easily excite the sneer of the superficial observer, we look to the genius of the sect itself, Puritanism was Religion struggling for the People ; a war against tyranny and superstition. "Its absurdities," says one of its scoffers, "were the shelter for the noble principles of liberty." It was its office to engraff the new institutions of popular energy upon the old European system of a feudal aristocracy and popular

servitude; the good was permanent; the outward emblems, which were the signs of the party, were of transient duration, like the clay and ligaments which hold the graft in its place, and are brushed away as soon as the scion is firmly united.

The principles of Puritanism proclaimed the civil magistrate subordinate to the authority of religion; and its haughtiness in this respect has been compared to "the infatuated arrogance" of a Roman pontiff. In the firmness with which the principle was asserted, the Puritans did not yield to the Catholics; and, if the will of God is the criterion of justice, both were, in one sense, in the right. The question arises, Who shall be the interpreter of that will? In the Roman Catholic Church, the office was claimed by the infallible pontiff, who, as the self-constituted guardian of the oppressed, insisted on the power of dethroning kings, repealing laws, and subverting dynasties. The principle thus asserted could not but become subservient to the temporal ambition of the clergy. Puritanism conceded no such power to its spiritual guides; the church existed independent of its pastor, who owed his office to its free choice; the will of the majority was its law; and each one of the brethren possessed equal rights with the elders. The right, exercised by each congregation, of electing its own ministers was in itself a moral *révolution*; religion was now with the people, not over the people. Puritanism exalted the laity. Every individual who had experienced the raptures of devotion, every believer, who in moments of ecstasy had felt the assurance of the favor of God, was in his own eyes a consecrated person, chosen to do the noblest and godliest deeds. For him the wonderful counsels of the Almighty had appointed a Saviour; for him the laws of nature had been suspended and controlled, the heavens had opened, earth had quaked, the sun had veiled his face, and Christ had died and had risen again; for him prophets and apostles had revealed to the world the oracles and the will of God. Before heaven he prostrated himself in the dust; looking out upon mankind, how could he but respect himself, whom God had chosen and redeemed? He cherished hope; he possessed

faith ; as he walked the earth, his heart was in the skies. Angels hovered round his path, charged to minister to his soul ; spirits of darkness vainly leagued together to tempt him from his allegiance. His burning piety could use no liturgy ; his penitence revealed itself to no confessor. He knew no superior in holiness. He could as little become the slave of a priesthood as of a despot. He was himself a judge of the orthodoxy of the elders ; and if he feared the invisible powers of the air, of darkness, and of hell, he feared nothing on earth. Puritanism constituted not the Christian clergy, but the Christian people, the interpreter of the divine will. The voice of the majority was the voice of God ; and the issue of Puritanism was popular sovereignty.

The effects of Puritanism display its character still more distinctly. Ecclesiastical tyranny is of all kinds the worst ; its fruits are cowardice, idleness, ignorance, and poverty : Puritanism was a life-giving spirit ; activity, thrift, intelligence, followed in its train ; and, as for courage, a coward and a Puritan never went together.

It was in self-defence that Puritanism in America began those transient persecutions which shall find in me no apologist ; and which yet were no more than a train of mists, hovering, of an autumn morning, over the channel of a fine river, that diffused freshness and fertility wherever it wound. The people did not attempt to convert others, but to protect themselves ; they never punished opinion as such ; they never attempted to torture or terrify men into orthodoxy. The history of religious persecution in New England is simply this : the Puritans established a government in America such as the laws of natural justice warranted, and such as the statutes and common law of England did not warrant ; and that was done by men who still acknowledged a limited allegiance to the parent state. The Episcopalians had declared themselves the enemies of the party, and waged against it a war of extermination ; Puritanism excluded them from its asylum. Roger Williams, the apostle of "soul-liberty," weakened civil independence by impairing its unity ; and he was expelled, even though Massachusetts bore good testimony to his spotless virtues.

Wheelwright and his friends, in their zeal for liberty of speech, were charged with forgetting their duty as citizens, and they also were exiled. The Anabaptist, who could not be relied upon as an ally, was guarded as a foe. The Quakers denounced the worship of New England as an abomination, and its government as treason; and they were excluded on pain of death. The fanatic for Calvinism was a fanatic for liberty; and, in the moral warfare for freedom, his creed was his support and his most faithful ally in the battle.

For "New England was a religious plantation, not a plantation for trade. The profession of the purity of doctrine, worship, and discipline, was written on her forehead." "We all," says the confederacy in one of the two oldest of American written constitutions, "came into these parts of America to enjoy the liberties of the gospel in purity and peace." "He that made religion as twelve, and the world as thirteen, had not the spirit of a true New England man." Religion was the object of the emigrants; it was also their consolation. With this the wounds of the outcast were healed, and the tears of exile sweetened. "New England was the colony of conscience."

Of all contemporary sects, the Puritans were the most free from credulity, and, in their zeal for reform, pushed their regulations to what some would consider a skeptical extreme. So many superstitions had been bundled up with every venerable institution of Europe, that ages have not yet dislodged them all. The Puritans at once emancipated themselves from a crowd of observances. They established a worship purely spiritual. They stood in prayer. To them the elements remained but wine and bread, and in communing they would not kneel. They invoked no saints; they raised no altar; they adored no crucifix; they kissed no book; they asked no absolution; they paid no tithes; they saw in the priest nothing more than a man; ordination was no more than an approbation of the officer, which might be expressed by the brethren, as well as by other ministers; the church, as a place of worship, was to them but a meeting-house; they dug no

graves in consecrated earth ; unlike their posterity, they married without a minister, and buried the dead without a prayer. Witchcraft had not been made the subject of skeptical consideration ; and, in the years in which Scotland sacrificed hecatombs to the delusion, there were three victims in New England. Dark crimes, that seemed without a motive, may have been pursued under that name ; I find one record of a trial for witchcraft, where the prisoner was proved a murderer.

On every subject but religion, the mildness of Puritan legislation corresponded to the popular character of Puritan doctrines. Hardly a nation of Europe has as yet made its criminal law so humane as that of early New England. A crowd of offences was at one sweep brushed from the catalogue of capital crimes. The idea was never received that the forfeiture of life may be demanded for the protection of property ; the punishment for theft, for burglary, and highway robbery, was far more mild than the penalties imposed even by modern American legislation. The habits of the young promoted real chastity. The sexes lived in social intimacy, and were more pure than the recluse. Of divorce I have found no example ; yet a clause in one of the statutes recognises the possibility of such an event. Divorce from bed and board, the separate maintenance without the dissolution of the marriage contract,—an anomaly in Protestant legislation, that punishes the innocent more than the guilty,—was abhorrent from their principles. The sanctity of the marriage-bed was protected by the penalty of death ; a penalty which was inexorably enforced against the adulteress and her paramour. If in this respect the laws were more severe, in another they were more lenient than modern manners approve. The girl whom youth and affection and the promise of marriage betrayed into weakness was censured, pitied, and forgiven ; the law compelled the seducer of innocence to marry the person who had imposed every obligation by the concession of every right. The law implies an extremely pure community ; in no other could it have found a place in the statute-book.

The benevolence of the Puritans appears from other examples. Their thoughts were always fixed on posterity. Domestic discipline was highly valued; the law was severe against the undutiful child; it was also severe against a faithless parent. Till 1654, the laws did not permit any man's person to be kept in prison for debt, except when there was an appearance of some estate which the debtor would not produce. Even the brute creation was not forgotten; and cruelty towards animals was a civil offence. The sympathies of the colonists were wide; a regard for Protestant Germany is as old as emigration; and during the thirty years' war the people of New England held fasts and offered prayers for the success of their German brethren.

The first years of the residence of Puritans in America were years of great hardship and affliction; this short season of distress was promptly followed by abundance and happiness. The people struck root in the soil immediately. They were, from the first, industrious, enterprising, and frugal; and affluence followed of course. When persecution ceased in England, there were already in New England "thousands who would not change their place for any other in the world;" and they were tempted in vain with invitations to the Bahama Isles, to Ireland, to Jamaica, to Trinidad. The purity of morals completes the picture of colonial felicity. "As Ireland will not brook venomous beasts, so will not that land vile livers." One might dwell there "from year to year, and not see a drunkard, or hear an oath, or meet a beggar." As a consequence, the average duration of life in New England, compared with Europe of that day, was doubled; and, of all who were born into the world, more than two in ten, full four in nineteen, attained the age of seventy. Of those who lived beyond ninety, the proportion, as compared with European tables of longevity, was still more remarkable.

I have dwelt the longer on the character of the early Puritans of New England, for they were the parents of one third the whole white population of the United States as it was in 1834. Within the first fifteen years,—and there was never afterwards any considerable increase from Eng-

land,—we have seen that there came over twenty-one thousand two hundred persons, or four thousand families. Their descendants were in 1834 not far from four millions. Each family had multiplied on the average to one thousand souls. To New York and Ohio, where they then constituted half the population, they carried the Puritan system of free schools; and their example is spreading it through the civilized world.

Historians have loved to eulogize the manners and virtues, the glory and the benefits, of chivalry. Puritanism accomplished for mankind far more. If it had the sectarian crime of intolerance, chivalry had the vices of dissoluteness. The knights were brave from gallantry of spirit; the Puritans, from the fear of God. The knights obeyed the law of honor; the Puritans hearkened to the voice of duty. The knights were proud of loyalty; the Puritans, of liberty. The knights did homage to monarchs, in whose smile they beheld honor, whose rebuke was the wound of disgrace; the Puritans, disdaining ceremony, would not bow at the name of Jesus, nor bend the knee to the King of kings. Chivalry delighted in outward show, favored pleasure, multiplied amusements, and degraded the human race by an exclusive respect for the privileged classes; Puritanism bridled the passions, commanded the virtues of self-denial, and rescued the name of man from dishonor. The former valued courtesy; the latter, justice. The former adorned society by graceful refinements; the latter founded national grandeur on universal education. The institutions of chivalry were subverted by the gradually increasing weight and knowledge and opulence of the industrious classes; the Puritans, rallying upon those classes, planted in their hearts the undying principles of democratic liberty.

The golden age of Puritanism was passing away.  
<sup>1660.</sup> Time was silently softening its asperities, and the revolutions of England prepared an era in its fortunes. Massachusetts never acknowledged Richard Cromwell; it read in the aspect of parties the impending restoration. The protector had left the benefits of self-government and

the freedom of commerce to New England, and to Virginia; and Maryland, by the act of her inhabitants, was just beginning to share in the same advantages. Would <sup>1660.</sup> the dynasty of the Stuarts deal benevolently with the colonies? Would it imitate the magnanimity of Cromwell, and suffer the staple of the south still to seek its market freely throughout the world? Could the returning monarch forgive the friends of the Puritans in England? Would he show favor to the institutions that the outcasts had reared beyond the Atlantic? .

## CHAPTER XI.

## THE RESTORATION OF THE STUARTS.

THE principles that should prevail in the administration of the American colonies always formed a dividing 1660 question between the political parties in England.

The restoration of the legitimate dynasty was attended by a corresponding change in colonial policy.

The revolution, which was now come to its end, had been in its origin a democratic revolution, and had apparently succeeded in none of its ultimate purposes. In the gradual progress of civilization, the power of the feudal aristocracy had been broken by the increased authority of the monarch ; and the people, beginning to claim the lead in the progress of humanity, prepared to contend for equality against privilege, as well as for freedom against prerogative. The contest failed for a season, because too much was at once attempted. Immediate emancipation from the decaying institutions of the past was impossible ; hereditary inequalities were themselves endeared to the nation, from a love for the beneficent institutions with which close union had identified them ; the mass of the people was still buried in the inactivity of listless ignorance ; even for the strongest minds, public experience had not yet generated the principles by which a reconstruction of the government on a popular basis could have been safely undertaken ; and thus the democratic revolution in England was a failure, alike from the events and passions of the fierce struggle which rendered moderation impossible, and from the misfortune of the age, which had not as yet acquired the political knowledge that time alone could gather for the use of later generations.

1629 to 1640. Charles I., inheriting his father's belief in the right of the king of England to absolute monarchical

power, and conspiring against the national constitution, which he, as the most favored among the natives of England, was the most solemnly bound to protect, had resolved to govern without the aid of a parliament. To convene a parliament was therefore, in itself, an acknowledgment of defeat. The house of commons, which assembled in April, 1640, was filled with men not less loyal to the monarch than faithful to the people; yet the king, who had neither the resignation of wise resolution nor yet the daring of despair, perpetually vacillating between the desire of destroying English liberty and a timid respect for its forms, disregarded the wishes of his more prudent friends, and, under the influence of capricious passion, suddenly dissolved a parliament more favorable to his interests than any which he could again hope from the excitement of the times. The friends of the popular party were elated at the dissolution. "This parliament could have remedied the confusion," said the royalist Hyde, afterwards Earl of Clarendon, to Saint-John. The countenance of the sombre republican, usually clouded with gloom, beamed with cheerfulness as he replied: "All is well; things must be worse before they can be better; this parliament could never have done what is necessary to be done."

The exercise of absolute power was become more difficult than ever. Strafford had advised violent measures. There were those who refused to take the oath never to consent to alterations in the church of England. "Send for the chief leaders," wrote Strafford, "and lay them by the heels; no other satisfaction is to be thought of." But Strafford was not without his enemies among the royalists. During the suspension of parliament, two parties in the cabinet had disputed with each other the administration and the emoluments of despotism. The power of the ministers and the council of state was envied by the ambition of the queen and the greedy selfishness of the courtiers; and the arrogant Strafford and the unbending Laud had as bitter rivals in the palace as they had enemies in the nation. There was no unity among the friends of absolute power.

1640. The expedient of a council of peers, convened Sept. 24. at York, could not satisfy a people that venerated representative government as the most valuable bequest of its ancestors; and a few weeks showed clearly that concession was necessary. The councils of Charles were divided by hesitancy, rivalries, and the want of plan; while the popular leaders were full of energy and union, and were animated by what seemed a distinct purpose, the desire of limiting the royal authority. The summons of a new parliament was on the part of the monarch a surrender at discretion. But, by the English constitution, the royal prerogative was in some cases the bulwark of popular liberty; the subversion of the royal authority made a way for the despotism of parliament.

The Long Parliament was not originally homogeneous.

Nov. 3. The usurpations of the monarch threatened the privileges of the nobility not less than the liberties of the people. The movement in the public mind, though it derived its vigor as well as its origin from the rising influence of the Puritans, was not directed towards vindicating power for the people, but only aimed at raising an impassable barrier against the encroachments of royalty. The object met with favor from a majority of the peerage, and from royalists among the commons; and the past arbitrary measures of the court found opponents in Hyde, the inflexible tory and faithful counsellor of the Stuarts; in the more scrupulous Falkland, who hated falsehood and intrigue, and whose imagination inclined him to the popular side, till he began to dread innovations from its leaders more than from the ambition of the king; and even in Capel, afterwards one of the bravest of the Cavaliers, and a martyr on the scaffold for his obstinate fidelity. The highest authority in England began to belong to the majority in parliament; no republican party as yet existed; the first division ensued between the ultra royalists and the undivided party of the friends of constitutional monarchy; and, though the house was in a great measure filled with members of the aristocracy, the moderate royalists were united with the friends of the people; and, on the

choice of speaker, an immense majority appeared in favor of the constitution.

The Earl of Strafford anticipated danger, and he desired to remain in Ireland. "As I am king of England," said Charles, "the parliament shall not touch one hair of your head;" and the reiterated urgency of the king compelled his attendance. His arraignment, within eight days of the commencement of the session, marks the spirit <sup>1640.</sup> Nov. 11. of the commons; his attainder was the sign of their ascendancy. "On the honor of a king," wrote Charles <sup>1641.</sup> Apr. 21. to the prisoner, "you shall not be harmed in life, fortune, or honor;" and, the fourth day after the passage of the bill of attainder, the king sent his adhesion to the commons, adding: "If Strafford must die, it were charity to reprieve him till Saturday." Men dreaded the service of a sovereign whose love was so worthless, and whose prerogative was so weak; safety was found on the side of the people; and the parliament proceeded without control to its work of reform. Its earliest acts were worthy of all praise. The liberties of the people were recovered and strengthened by appropriate safeguards; the arbitrary courts of high commission, and the court of wards, were broken up; the star-chamber, doubly hated by the aristocracy, as "ever a great eclipse to the whole nobility," was with one voice abolished; the administration of justice was rescued from the paramount influence of the crown; and taxation, except by consent, was forbidden. The principle of the writ of habeas corpus was introduced; and the kingdom of England was lifted out of the bondage of feudalism by a series of reforms, which were afterwards renewed, and which, when successfully embodied among the statutes, the commentator on English law esteemed above Magna Charta itself. These measures were national, were adopted almost without opposition, and received the nearly unanimous assent of the nation. They were truly English measures, directed in part against abuses introduced at the Norman conquest, in part against the encroachments of the sovereign. They wiped away the traces that England had been governed as a conquered country; they were

in harmony with the intelligence and the pride, the prejudices and the wants, of England. Public opinion was the ally of the parliament.

But an act declaring that the parliament should neither be prorogued nor dissolved, unless with its own consent, had also been proposed, and urged with pertinacity, till it received the royal concurrence. Parliament, in its turn, subverted the constitution, by establishing its own paramount authority, and making itself virtually irresponsible to its constituents ; it was evident a parliamentary despotism would ensue. The English government was substantially changed, in a manner injurious to the power of the executive, and still more dangerous to the freedom of the people. The king, in so far as he opposed the measure, was the friend of popular liberty ; the passage of the act placed the people of England, not less than the king, at the mercy of the parliament. The methods of tyranny are always essentially the same ; the freedom of the press was subjected to parliamentary censors. The usurpation foreboded the subversion of the throne and the subjection of the people. The liberators of England were become its tyrants ; the rights of the nation had been asserted only to be sequestered for their use.

The spirit of loyalty was still powerful in the commons ; as their demands advanced, stormy debates and a close division ensued. Falkland and Capel and Hyde now acted with the court. The remonstrance on the state of the kingdom, an uncompromising manifesto against the arbitrary measures of Charles, was democratic in its tendency, because it proposed no specific reform, but was rather a general and exciting appeal to popular opinion. The English mind was as restless as the waves of the ocean by which the isle is environed ; the remonstrance was designed to increase that restlessness ; in a house of more than five hundred members, it was adopted by the meagre majority of eleven. "Had it not been carried," said

<sup>1641.</sup> Nov. 22. Cromwell to Falkland, "I should have sold all I possess, and left the kingdom ; many honest men were of the same resolution." From the contest for "English

liberties," men advanced to the discussion of natural rights; with the expansion of their views, their purposes ceased to be definite; and already reform was changing into a revolution. They were prepared to strip the church of its power and royalty of its prescriptive sanctity; and it was observable that religious faith was on the side of innovation, while incredulity abounded among the supporters of the divine right.

The policy of the king preserved its character of variability. He had yielded where he should have been firm; and he now invited a revolution by the violence of his counsels. Moderation and sincerity would have restored his influence. But when, attended by armed men, he repaired in person to the house of commons, with <sup>1642</sup> Jan. 4. the intent of seizing six of the leaders of the patriot party, whose execution was to soothe his fears and tranquillize his hatred, the extreme procedure, so bloody in its purpose and so illegal in its course, could only rouse the nation to anger against its sovereign, justify for the time every diminution of his prerogative, and, by inspiring settled distrust, animate the leaders of the popular party to a gloomy inflexibility. There was no room to hope for peace. The monarch was faithless, and the people knew no remedy. A change of dynasty was not then proposed; and England languished of a disease for which no cure had been discovered. It was evident that force must decide the struggle. The parliament demanded the control of the national militia with the possession of the fortified towns. But would the Cavaliers consent to surrender all military power to plebeian statesmen? Would the nobility endure that men should exercise dominion over the king, whose predecessors their ancestors had hardly been permitted to serve? To Charles, who had had neither firmness to maintain his just authority, nor sincerity to effect a safe reconciliation, no alternative remained but resistance or the surrender <sup>Aug. 24.</sup> of all power; and, unfurling the royal standard, he began a civil war.

The contest was between a permanent parliament and an arbitrary king. The people had no mode of intervention

except by serving in the armies ; they could not come forward as mediators or as masters. The parliament was become a body, of which the duration depended on its own will, unchecked by a supreme executive or by an independent co-ordinate branch of legislation ; and therefore, of necessity, a multitudinous despot, unbalanced and irresponsible ; levying taxes, enlisting soldiers, commanding the navy and the army, enacting laws, and changing at its will the forms of the English constitution. The issue was certain. Every representative body is swayed by the interests of its constituents, the interests of its own assembly, and the personal interests of its respective members ; and never was the successive predominance of each of these sets of motives more clear than in the Long Parliament. Its first acts were mainly for its constituents, whose rights it vindicated and whose liberties it increased ; its corporate ambition next prevailed, and it set itself against the throne and the peerage, both of which it was hurried forward to subvert ; individual selfishness at last had its triumph, and there were not wanting men who sought lucrative jobs and grasped at disproportioned emoluments. Nothing could check the progress of degeneracy and corruption ; the example, the ability, and the conscientious purity of Henry Vane were unavailing. Had the life of Hampden been spared, he could not have changed the course of events, for he could not have changed the laws of nature and the principles of human action.

The majority in parliament was become the master 1644. of England ; and after one hundred and eighteen royalist members, obeying the summons of the king, had repaired to Oxford, royalty was powerless in the legislature. The church of England was prostrate ; but religious and political parties were identified ; and the new division conformed itself to the rising religious sects. Now that the friends of the church had withdrawn, the commons were at once divided into two imposing parties, the Presbyterians and the Independents ; the friends of a political revolution which should yet establish a nobility, a limited monarchy, and a national church, and the friends of an entire revolution on the principle of equality.

The majority was with the Presbyterians, who were elated with the sure hope of a triumph. They represented a powerful portion of the aristocracy of England ; they had, besides a majority in the commons, the exclusive possession of the house of lords ; they held the command of the army ; they had numerous and active adherents among the clergy ; the English people favored them ; Scotland, which had been so efficient in all that had thus far been done, was devoted to their interests ; and they hoped for a compromise with their sovereign. They envied the success of tyranny more than they abhorred its principles ; monarchy, with Presbyterianism as the religion of state, was their purpose ; and they were at all times prepared to make peace with the king, if he would but consent to that revolution in the church which they desired.

And what counterpoise could be offered by the Independents ? How could they hope for superior influence, when it could be gained only by rising above the commons, the peers, the commanders of the army, all Scotland, and the mass of the English people ? They had no omen of success but the tendency of revolutions, the enthusiasm of new opinions, the inclination of the human mind to push principles to their remoter consequences. An amalgamation with the Presbyterians would have implied subjection ; power could be gained only by that progress in innovations which would drive the Presbyterians into opposition. The Independents, sharing in the agitation of the public mind, made the new ideas the support of their zeal and the basis of their party. They gradually became the advocates of religious liberty and the power of the people. Their eyes were turned towards democratic institutions ; and the glorious vision of emancipating the commons of England from feudal oppression, from intellectual servitude, and from a long aristocracy of superstition, inflamed them with a zeal which would not be rebuked by the inconsistency of their schemes with the opinions, habits, and institutions of the nation.

The Presbyterian nobility, who had struggled for their privileges against royal power, were unwilling that innova-

tion should go so far as to impair their rank or diminish their grandeur; the Independents, as new men, who had their fortunes to make, were prepared not only to subvert the throne, but to contend for equality against privilege. "The Presbyterian Earl of Manchester," said Cromwell, "shall be content with being no more than plain Montague." The men who broke away from the forms of society, and venerated nothing but truth; others who, in the folly of their pride, claimed for their opinions the sanctity and the rights of truth; they who sighed for a more equal diffusion of social benefits; the friends of entire liberty of conscience; the friends of a reform in the law, and a diminution of the profits of the lawyers; the men, like Milton and Sydney, whose imagination delighted in pictures of Roman liberty, of Spartan virtue; the less educated, who indulged in visions of a restoration of that happy Anglo-Saxon system, which had been invented in the woods in days of Anglo-Saxon simplicity; the republicans, the levellers, the fanatics,—all ranged themselves on the side of the new ideas.

The true representative of the better principles of the Independents was Henry Vane; but the acknowledged leader of the party was Oliver Cromwell. Was he sincere? Or was he wholly a hypocrite? It is difficult to disbelieve that his mind was honestly imbued with the extreme principles of Puritan reforms; but the man whose ruling motive is ambition soon gains the mastery over his own convictions, and values and employs ideas only as instruments to his advancement. Self-love easily dupes conscience; and Cromwell may have always believed himself faithful to the interest of England. All great men are inclined to fatalism; for their success is a mystery to themselves; and it was not entirely with hypocrisy that Cromwell, to the last, professed himself the servant of Providence, borne along by irresistible necessity.

If peace never been broken, the Independents would have remained a powerless minority; the civil war gave them a rallying point in the army. In the season of great public excitement, fanatics crowded to the camp; an ardor

for popular liberty mingled with the fervors of religious excitement. Cromwell had early perceived that the honor and valor of the Cavaliers could never be overthrown by ordinary hirelings; he therefore sought to fill the ranks of his army with enthusiasts. His officers were alike ready to preach and pray, and to take the lead in the field of battle. With much hypocrisy, his camp was the scene of much real piety; and long afterwards, when his army was disbanded, its members who, for the most part, were farmers and the sons of farmers, resumed their places among the industrious classes of society; while the soldiers of the royalists were often found in the ranks of vagabonds and beggars. It was the troops of Cromwell that first, in the open field, broke the ranks of the royal squadrons; and the decisive victory of Marston Moor was won by their iron energy and valor.

1644.  
July 2.

The final overthrow of the prospects of Charles in the field marks the crisis of the struggle for the ascendant between the Presbyterians and Independents. The former party had its organ in the parliament, the latter in the army, in which the Presbyterian commander had been surprised into a resignation by the self-denying ordinance and the intrigues of Cromwell. As the duration of the parliament depended on its own will, the army refused to be disbanded; claiming to represent the interests of the people, and actually constituting the only balance to the otherwise unlimited power of the parliament. The army could call the parliament a usurper, and the parliament could arraign the army as a branch of the public service, whose duty was obedience, and not counsel. On the other hand, if the parliament pleaded its office as the grand council of the nation, the army could urge its merits as the active and successful antagonist to royal despotism.

The Presbyterians broke forth into menaces against the army. "These men," whispered Cromwell to Ludlow, "will never leave till the army pull them out by the ears." The Presbyterian majority was in a false position; it appeared to possess paramount power, and did not actually possess it. Could they gain the person of the king, and succeed in

pacific negotiations, their influence would be renewed by the natural love of order in the minds of the English people. A conflict with the Independents was unavoidable; for the Independents could in no event negotiate with the king. In every negotiation, a free parliament must have been a condition; and a free parliament would have been their doom. Self-preservation, uniting with ambition and wild enthusiasm, urged them to uncompromising hostility with Charles I. He or they must perish. "If my head or the king's must fall," argued Cromwell, "can I hesitate which to choose?" By an act of violence the Independents seized on the king, and held him in their special custody. "Now," said the exulting Cromwell, "now that I have the king in my hands, I have the parliament in my pocket."

At length, the Presbyterian majority, sustained by the admirable eloquence of Prynne, attempted to dis-  
<sup>1648.</sup> <sub>Dec. 5.</sub> pense with the army, and by a decided vote resolved to make peace with the king. To save its party from an entire defeat, the army interposed, and "purged" <sub>Dec. 6.</sub> the house of commons. "Hear us," said the excluded members to Colonel Pride, who expelled them. "I cannot spare the time," replied the soldier. "By what right are we arrested?" demanded they of the extravagant Hugh Peter. "By the right of the sword," answered the late envoy from Massachusetts. "You are called," said he, as he preached to the decimated parliament, "to lead the people out of Egyptian bondage; this army must root up monarchy, not only here, but in France and other kingdoms round about." Cromwell, the night after "the interruption," reiterated: "I knew nothing of these late proceedings; but, since the work has been done, I am glad of it, and will endeavor to maintain it."

When the winnowing of the house of commons was finished, there remained few beside republicans; and it was resolved to bring the unhappy monarch to trial before a special commission. "Providence and necessity," said Cromwell, affecting indecision, "have cast the house upon this deliberation. I shall pray God to bless our counsels." The young and sincere Algernon Sydney opposed, and saw the danger

of a counter-revolution. "No one will stir," cried Cromwell, impatiently: "I tell you we will cut off his head with the crown on it." Sydney withdrew; and Charles was abandoned to the sanguinary severity of a sect. To sign the death-warrant was a solemn deed, from which some of his judges were ready to shrink; Cromwell concealed the magnitude of the act under an air of buffoonery; the chamber rung with gayety; he daubed the cheek of one of the judges that sat next him with ink, and, amidst shouts of laughter, compelled another, the wavering Ingoldsby, to sign the paper as a jest. The ambassadors of foreign princes presented no remonstrance; and, when the admirable collections of the unhappy king were sold at auction, they purchased his favorite works of art with rival eagerness. Holland alone negotiated. The English people were overawed.

Treason against the state, on the part of its highest officers, is the darkest of human offences. Fidelity to the constitution is due from every citizen; in a monarch, the debt of gratitude is enhanced, for the monarch is the hereditary and special favorite of the fundamental laws. The murderer, even where his victim is eminent for mind and character, destroys what time will repair; and, deep as is his guilt, society suffers but transiently from the transgression. But the king who conspires against the liberties of the people conspires to subvert the most precious bequest of past ages, the dearest hope of future time; he would destroy genius in its birth and enterprise in its sources, and sacrifice the prolific causes of intelligence and virtue to his avarice or his vanity, his caprices or his ambition; would rob the nation of its nationality, the people of the prerogatives of man; would deprive common life of its sweets, by depriving it of its security, and religion of its power to solace, by subjecting it to supervision and control. His crime would not only enslave a present race of men, but forge chains for unborn generations. There can be no fouler deed.

Tried by the standard of his own intentions and his own actions, Charles I., it may be, had little right to complain. Yet, when history gives its impartial

1649.  
Jan. 30.

verdict on the execution, it remembers that, by the laws of England, the meanest individual could claim a trial by his peers; and that the king was delivered, by a decimated parliament, which had prejudged his case, to a commission composed of his bitterest enemies, and erected in defiance of the wishes of the people. His judges were but a military tribunal; and the judgment, which assumed to be a solemn exercise of justice on the worst of criminals, arraigned by a great nation, and tried by its representatives, was in truth an act of tyranny. His accusers could have rightfully proceeded only as the agents of the popular sovereignty; and the people disclaimed the deed. An appeal to the people would have reversed the decision. The churchmen, the Presbyterians, the lawyers, the opulent landholders, the merchants, and the great majority of the English nation, preferred the continuance of a limited monarchy. There could be no republic. There was no republic. Not sufficient advancement had been made in political knowledge. Milton believed himself a friend of popular liberty; and, against the assertion that a whole people can sell themselves into slavery, defended the revocable nature of all conceded civil power; yet his scheme of government, which proposed to subject England to the executive authority of a self-perpetuating council, was far less favorable to equal freedom and to progress than monarchy itself. Not one of the proposed methods of government was capable of being realized. Lilbourne's was, perhaps, the most consistent, but was equally impracticable.

<sup>1649.</sup> If the execution of Charles be considered by the <sup>June 30.</sup> rule of utility, its effects will be found to have been entirely bad. A free parliament would have saved the king, and reformed church and state; in aiming at the immediate enjoyment of democratic liberty, the statesmen of that day delayed popular enfranchisements. Nations change their institutions but slowly: to attempt to pass abruptly from feudalism and monarchy to democratic equality was the thought of enthusiasts, who understood neither the history, the character, nor the condition of the country. It was like laying out into entirely new streets a city that was

already crowded with massive structures, resting on firm foundations. Cromwell alone profited by the death of the king: the deed was his policy, and not the policy of the nation.

The remaining members of the commons were now by their own act constituted the sole legislature and sovereign of England. The peerage was abolished with monarchy; the connection between state and church rent asunder; but there was no republic. Selfish ambition forbade it; the state of society and the distribution and tenure of property forbade it. The commons usurped not only all powers of ordinary legislation, but even the right of remoulding the constitution. They were a sort of collective, self-constituted, perpetual dictatorship. Like Rome under its decemviri, England was enslaved by its legislators; English liberty had become the patrimony and estate of the commons; the forms of government, the courts of justice, peace and war, all executive, all legislative power, rested with them. They were irresponsible, absolute, and apparently never to be dissolved but at their own pleasure.

But the commons were not sustained by the public opinion of the nation. They were resisted by the royalists and the Catholics, by the Presbyterians and the fanatics, by the honest republicans and the army. In Ireland, the Catholics dreaded the worst cruelties that Protestant bigotry could inflict. Scotland, almost unanimous in its adhesion to Presbyterianism, regarded with horror the rise of democracy and the triumph of the Independents; the fall of the Stuarts foreboded the overthrow of its independence; it loved liberty, but it loved its nationality also. It feared the sovereignty of an English parliament, and desired the restoration of monarchy as a guarantee against the danger of being treated as a conquered province. In England, the opulent landholders, who swayed their ignorant dependants, rendered popular institutions impossible; and too little intelligence had as yet been diffused through the mass of the people to make them capable of taking the lead in the progress of civilization. The schemes of social and civil equality found no support but in the enthusiasm of the few

who fostered them ; and clouds of discontent gathered suddenly round the nation.

The attempt at a counter-revolution followed. But the parties by which it was made, though a vast majority of the three nations, were filled with mutual antipathies ; the Catholics of Ireland had no faith in the Scottish Presbyterians ; and these in their turn were full of distrust and hatred of the English Cavaliers. They feared each other as much as they feared the commons. There could therefore be no concert of opposition ; the insurrections, which, had they been made unitedly, would probably have been successful, were not simultaneous. The Independents were united ; their strength lay in a small but well-disciplined army ; the celerity and military genius of Cromwell insured to them unity of counsels and promptness of action ; they conquered their adversaries in detail ; and the massacre of Drogheda, the field of Dunbar, and the victory of Worcester, destroyed the present hopes of the friends of monarchy.

The lustre of Cromwell's victories ennobled the crimes of his ambition. When the forces of the insurgents had been beaten down, there remained but two powers in the state, the Long Parliament and the army. To submit to a military despotism was inconsistent with the genius of the people of England ; and yet the Long Parliament, now containing but a fraction of its original members, could not be recognised as the rightful sovereign of the country, and possessed only the shadow of executive power. Public confidence rested on Cromwell alone. The few true republicans had no party in the nation ; a dissolution of the parliament would have led to anarchy ; a reconciliation with Charles II., whose father had just been executed, was impossible ; a standing army, it was plausibly argued, required to be balanced by a standing parliament ; and the house of commons, the mother of the commonwealth, insisted on nursing the institutions which it had established. But the public mind reasoned differently ; the virtual power rested with the army ; men dreaded confusion, and sighed for peace ; and they were pleased with the retributive justice that the parliament, which had destroyed

the English king, should itself be subverted by one of its members.

Thus the attempt at absolute monarchy on the part of Charles I. yielded to a constitutional, true English parliament; the control of parliament passed from the constitutional royalists to the Presbyterians, or representatives of a part of the aristocracy opposed to Episcopacy; from the Presbyterians to the Independents, the enthusiasts, real or pretended, for popular liberty; and, now that the course of the revolution had outstripped public opinion, a powerful reaction gave the supreme authority to Cromwell. Sovereignty had escaped from the king to the parliament, from the parliament to the commons, from the commons to the army, and from the army to its successful commander. Each revolution was a natural and necessary consequence of its predecessor.

Cromwell was one whom even his enemies cannot name without acknowledging his greatness. The farmer of Huntingdon, accustomed only to rural occupations, unnoticed till he was more than forty years old, engaged in no higher plots than how to improve the returns of his land and fill his orchard with choice fruit, of a sudden became the best officer in the British army, and the greatest statesman of his time; subverted the English constitution, which had been the work of centuries; held in his own grasp the liberties which formed a part of the nature of the English people, and cast the kingdoms into a new mould. Religious peace, such as England till now has never again seen, flourished under his calm mediation; justice found its way even among the remotest Highlands of Scotland; commerce filled the English marts with prosperous activity, his fleets rode triumphant in the West Indies; Nova Scotia submitted to his orders without a struggle; the Dutch begged of him for peace as for a boon; Louis XIV. was humiliated; the Protestants of Piedmont breathed their prayers in security. His squadron made sure of Jamaica; he had strong thoughts of Hispaniola and Cuba; and, to use his own words, resolved "to strive with the Spaniard for the mastery of all those seas." The glory of the English was

spread throughout the world : “ Under the tropic was their language spoke.”

And yet his career was but an attempt to conciliate a union between his power and permanent public order; and the attempt was always unavailing, from the inherent impossibility growing out of the origin of his power. It was derived from the submission, not from the will of the people; it came by the sword, not from the nation, nor from established national usages. Cromwell saw the impracticability of a republic; and offered no excuse for his usurpations but the right of the strongest to restore tranquillity; the old plea of tyrants and oppressors from the beginning of the world. He had made use of the enthusiasm of liberty for his advancement; he sought to sustain himself by conciliating the most opposite sects. For the republicans, he had apologies: “ The sons of Zeruiah, the lawyers, and the men of wealth, are too strong for us. If we speak of reform, they cry out that we design to destroy all propriety.” To the witness of the young Quaker against priestcraft and war, he replied: “ It is very good; it is truth; if THOU and I were but an hour of a day together, we should be nearer one to the other.” From the field of Dunbar he had charged the Long Parliament “ to reform abuses, and not to multiply poor men for the benefit of the rich.” Presently he appealed to the moneyed men and the lawyers: “ he alone could save them from the levellers, men more ready to destroy than to reform.” Did the sincere levellers, the true commonwealth’s men, make their way into his presence, he assured them “ he preferred a shepherd’s crook to the office of protector; he would resign all power so soon as God should reveal his definite will;” and then he would invite them to pray. “ For,” said he one day to the poet Waller, “ I must talk to these people in their own style.” Did the passion for political equality blaze up in the breasts of the yeomanry, who constituted his bravest troops, it was checked by the terrors of a military execution. The Scotch Presbyterians could not be cajoled: he resolved to bow their pride; and did it in the only way in which it could be done, by wielding against

their bigotry the great conception of the age, the doctrine of Roger Williams and Descartes, freedom of conscience. "Approbation," said he, as I believe, with sincerity of conviction, "is an act of convenience, not of necessity. Does a man speak foolishly, suffer him gladly, for ye are wise. Does he speak erroneously, stop such a man's mouth with sound words, that cannot be gainsaid. Does he speak truly, rejoice in the truth." To win the royalists, he obtained an act of amnesty, a pledge of future favor to such of them as would submit. He courted the nation by exciting and gratifying national pride, by able negotiations, by victory and conquest. He sought to enlist in his favor the religious sympathies of the people, by assuming for England a guardianship over the interests of Protestant Christendom.

Seldom was there a less scrupulous or more gifted politician than Cromwell. But he was no longer a leader of a party. He had no party. A party cannot exist except by the force of common principles; it is truth, and truth only, that of itself rallies men together. Cromwell, the oppressor of the Independents, had ceased to respect principles; his object was the advancement of his family; his hold on opinion went no farther than the dread of anarchy, and the strong desire for order. If moderate and disinterested men consented to his power, it was to his power as high constable, engaged to preserve the public peace. He could not confer on his country a fixed form of government, for that required a concert with the national affections, which he was never able to gain. He had just notions of public liberty, and he understood how much the English people are disposed to magnify their representatives. Thrice did he attempt to connect his usurpation with the forms of representative government, and always without success. His first parliament, convened by special writ, and mainly composed of the members of the party by which he had been advanced, represented the movement in the English mind which had been the cause of the revolution. It <sup>1663.</sup> July 4. indulged in pious ecstasies, laid claim to the special enjoyment of the presence of Jesus Christ, and spent whole

days in exhortations and prayers. But the delirium of mysticism was not incompatible with clear notions of policy ; and, amidst the hyperboles of Oriental diction, they prepared to overthrow despotic power by using the power a despot had conceded. The objects of this assembly were all democratic : it labored to effect a most radical reform ; to codify English law, by reducing the huge volumes of the common law into a few simple English axioms ; to abolish tithes ; and to establish an absolute religious freedom, such as the United States now enjoy. This parliament has for ages been the theme of unsparing ridicule. Historians, with little generosity towards a defeated party, have sided against the levellers ; and the misfortune of failure in action has doomed them to censure and contempt. Yet they only demanded what had often been promised, and what, on the immutable principles of freedom, was right. They did but remember the truths which Cromwell had professed, and had forgotten. Fearing their influence, and finding the republicans too honest to become the dupes of his ambition, he induced such members of the house of commons as were his creatures to resign, and scattered the rest with his troops. The public looked on with much indifference. This parliament, from the mode of its convocation, was unpopular ; the royalists, the army, and the Presbyterians, alike dreaded its activity. With it expired the last feeble hope of a commonwealth. The successful soldier, at once and openly, pleading the necessity of the moment, assumed supreme power, as the highest peace-officer in the realm.

Cromwell next attempted an alliance with the property of the country. Affecting contempt for the regicide republicans, who, as his accomplices in crime, could not forego his protection, he prepared to espouse the cause of the lawyers, the clergy, and the moneyed interest. Here, too, he was equally unsuccessful. The moneyed interest loves dominion

<sup>1654.</sup> for itself; it submits reluctantly to dominion ; and his <sup>Sept.</sup> second parliament, chosen on such principles of re-  
<sup>1655.</sup> form as rejected the rotten boroughs, and, limiting

<sup>Jan. 22.</sup> the elective franchise to men of considerable estate, made the house a fair representation of the wealth of the

country, was equally animated by a spirit of stubborn defiance. It first resisted the decisions of the council of Cromwell on the validity of its elections, next vindicated freedom of debate, and, at its third sitting, called in question the basis of Cromwell's authority. "Have we cut down tyranny in one person, and shall the nation be shackled by another?" cried a republican. "Hast thou, like Ahab, killed and taken possession?" exclaimed a royalist. At the opening of this parliament, Cromwell, hoping for a majority, declared "the meeting more precious to him than life." The majority favored the Presbyterians, and secretly desired the restoration of the Stuarts. The protector dissolved them, saying: "The mighty things done among us are the revolutions of Christ himself; to deny this is to speak against God." How highly the public mind was excited by this abrupt act of tyranny, is evident from what ensued. The dissolution of the parliament was followed by Penruddoc's insurrection.

A third and final effort could not be adventured till the nation had been propitiated by naval successes, and victories over Spain had excited and gratified the pride of Englishmen and the zeal of Protestants. "The Red Cross," said Cromwell's admirers, "rides on the sea without a rival; our ready sails have made a covenant with every wind; our oaks are as secure on the billows as when they were rooted in the forest: to others the ocean is but a road; to the English it is a dwelling-place." The fleets of the protector returned rich with the spoils of Peru; and there were those who joined in adulation:

His conquering head has no more room for bays:  
Let the rich ore forthwith be melted down,  
And the state fixed by making him a crown;  
With ermine clad and purple, let him hold  
A royal sceptre, made of Spanish gold.

The question of a sovereign for England seemed but to relate to the Protector Cromwell and the army, or King Cromwell and the army; and, for the last time, Cromwell hoped, through a parliament, to reconcile his dominion to the English people, and to take a place in the line of Eng-

lish kings. For a season, the majority was not unwilling; the scruples of the more honest among the timid he overcame by levity. Our oath, he would say, is not against the three letters that make the word REX. "Royalty is but a feather in a man's cap; let children enjoy their rattle." But here his ambition was destined to a disappointment; the Presbyterians, ever his opponents, found on this point allies in many officers of the army; and Owen, afterwards elected president of Harvard College, drafted for them an effectual remonstrance. In view of his own elevation, Cromwell had established an upper house; its future members to be nominated by the protector, in concurrence with the peers. But the wealth of the ancient hereditary nobility continued; its splendor was not yet forgotten; the new peerage, exposed to the contrast, excited ridicule without imparting strength; the house of commons continually spurned at

their power, and controverted their title. This last  
<sup>1658.</sup> Feb. 4. Parliament was also dissolved. Unless Cromwell could exterminate the Catholics, convert the inflexible Presbyterians, chill the loyalty of the royalists, and corrupt the judgment of the republicans, he never could hope the cheerful consent of the British nation to the permanence of his government, which was well understood to be co-extensive only with his life. It was essentially a state of transition. He did not connect himself with the revolution, for he put himself above it, and controlled it; nor with the monarchy, for he was an active promoter of the execution of Charles; nor with the church, for he subverted it; nor with the Presbyterians, for he barely tolerated their worship, without gratifying their ambition. He rested on himself; his own genius and his own personal resources were the basis of his power. Having subdued the revolution, there was no firm obstacle but himself to the restoration of the Stuarts, of which his death was necessarily the signal.

The accession of Richard Cromwell met with no instant opposition; for the tranquillity of expectation preceded the impending change. Like his father, he had no party in the nation; unlike his father, he had no capacity for public affairs. The restoration of the Stuarts was already resolved

upon by the people of England. Richard convoked a parliament only to dissolve it; he could not control the army, and he could not govern England without the army. Involved in perplexities, he resigned. His accession had changed nothing; his abdication changed nothing; content to be the scoff of the proud, he acted upon the consciousness of his own incompetency, and, in the bosom of private life, remote from wars, from ambition, from power, he lived to extreme old age in the serene enjoyment of a gentle and modest temper. English politics went forward in their course.

The council of officers, the revival of the "interrupted" Long Parliament, the intrigues of Fleetwood and Desborough, the transient elevation of Lambert, were but a series of unsuccessful attempts to defeat the wishes of the people. Every new effort was soon a failure; and each successive failure did but expose the enemies of royalty to increased indignation and contempt. In vain did Milton forebode that, "of all governments, that of a restored king is the worst;" nothing could long delay the restoration. The fanaticism which had made the revolution had burnt out, and was now a spent volcano. Among the possible combinations of human character is that of an obstinate and almost apathetic courage, a sluggish temperament, a narrowness of mind, and yet an accurate though a mean-spirited judgment, which, "like a two-foot rule," measures great things as well as small, not rapidly, but with equal indifference and precision. Such a man was Monk, soon to be famous in American annals, from whose title, as Duke of Albemarle, Virginia named one of her most beautiful counties, and Carolina her broadest bay. Sir William Coventry, no mean judge of men, esteemed him a drudge; Lord Sandwich sneered at him plainly as a thick-skulled fool; and the more courteous Pepys paints him as "a heavy, dull man, who will not hinder business, and cannot aid it." When Monk marched his army from Scotland into England, he was only the instrument of the restoration, not its author. Originally a soldier of fortune in the army of the royalists, he had deserted his party, served against Charles I., and readily

offered to Cromwell his support. He had no adequate conceptions of the nature or the value of liberty, was no statesman, and was destitute of true dignity of character. Incapable of laying among the wrecks of the English constitution the foundations of a new creation of civil liberty, he took advantage of circumstances to make his own fortune, and gratify his passion for rank and place. He cared nothing for England, and therefore made no terms for his country, but only for himself. He held the Presbyterians in check, and, prodigal of perjuries to the last, he prevented the adoption of any treaty or binding compact between the returning monarch and the people.

Yet the want of such a compact could not restrain the determined desire of the people of England. All classes demanded the restoration of monarchy, as the only effectual guarantee of peace. The Presbyterians, like repentant sinners at the confessional, hoping to gain favor by an early and effectual union with the royalists, contented themselves with a vague belief that the martyrdoms of Dunbar would never be forgotten; misfortunes and the fate of Charles I. were taken as sureties that Charles II. had learned moderation in the school of exile and sorrow; and his return could have nothing humiliating for the English people, for it was the nation itself that recalled its sovereign. Every party that had opposed the dynasty of the Stuarts had failed in the attempt to give England a government; the constitutional royalists, the Presbyterians, the Independents, the Long Parliament, the army, had all in their turn been unsuccessful; the English, preserving a latent zeal for their ancient liberties, were at the time carried away with a passionate enthusiasm for their hereditary king. The Long Parliament is reassembled; the Presbyterians, expelled before the trial of Charles, resume their seats; and the parliament is dissolved, to be succeeded by a new assembly. The king's return is at hand. They who had been its tardiest advocates endeavor to throw oblivion on their hesitancy by the excess of loyalty; men vie with one another in eagerness for the restoration; none of them is disposed to gain the certain ill-will of the monarch by proposing conditions

which might not be seconded ; they forgot their country in their zeal for the king ; they forgot liberty in their eagerness to advance their fortunes ; a vague proclamation on the part of Charles II., promising a general amnesty, fidelity to the Protestant religion, regard for tender consciences, and respect for the English laws, was the only pledge from the sovereign. And now, after twenty years of storms, the light of peace dawns in the horizon. All England was in ecstasy. Groups of men gathered round buckets of wine in the streets, and drank the king's health on their knees. The bells in every steeple rung merry peals ; the bonfires round London were so numerous and brilliant that the city seemed encircled with a halo ; and under a clear sky, with a favoring wind, the path of the exiled monarch homewards to the kingdom of his fathers, was serene and unruffled. As he landed on the soil of England, he was received by infinite crowds with all imaginable love. The shout-<sup>1660.  
May 25.</sup> ing and general joy were past imagination. On the journey from Dover to London, the hillocks all the way were covered with people ; the trees were filled ; and such was the prodigality of flowers from maidens, such the acclamations from throngs of men, the whole kingdom seemed gathered along the roadsides. The companies of the city welcomed the king with loud thanks to God for his presence ; and he advanced to Whitehall through serried ranks of admiring citizens. All hearts were open ; and, on the evening of his arrival in the capital of his kingdom, he employed the excitement of the time to debauch a beautiful woman of ninetaen, the wife of one of his subjects.

The tall and swarthy grandson of Henry IV. of France was naturally possessed of a disposition which, had he preserved purity of morals, had made him one of the most amiable of men. It was his misfortune, in very early life, to have become thoroughly debauched in mind and heart ; and adversity, usually the rugged nurse of virtue, made the selfish libertine but the more reckless in his profligacy. His neck bowed to the yoke of lewdness. He was attached to women, not from love, for he had no jealousy, and was regardless of infidelities ; nor entirely from debauch, but

from the pleasure of living near them, and sauntering in their company. His delight, such is the record of the royalist Evelyn, was in "concubines, and cattle of that sort;" and, from his entry into London to the last week of his life, he spent his time in toying with his mistresses and listening to love-songs. Attached to the faith of his mother, he had no purpose so seriously at heart as the restoration of the Catholic worship in England; but even this intention could not raise him above his natural languor. Did the English commons impeach Clarendon, Charles II. could think of nothing but how to get the Duchess of Richmond to court again. Was the Dutch war signalized by disasters, "the king did still follow his women as much as ever," and took more pains to reconcile the chambermaids of Lady Castlemaine, or make friends of the rival beauties of his court, than to save his kingdom. He was "governed by his lust, and the women, and the rogues about him."

The natural abilities of Charles II. were probably overrated. He was incapable of steady application. He read imperfectly and ill. When drunk, he was a good-natured, subservient fool. In the council of state, he played with his dog, never minding the business, or making a speech, memorable only for its silliness; and, if he visited the naval magazines, "his talk was equally idle and frothy."

The best trait in his character was his natural kindness. Yet his benevolence was in part a weakness; his bounty was that of faecility, and left him the tool of courtiers; and his placable temper, incapable of strong revenge, was equally incapable of affection. He so loved present tranquillity that he signed the death-warrants of innocent men rather than risk disquiet; but of himself he was merciful, and was reluctant to hang any but republicans. His love of placid enjoyments and of ease continued to the end. On the last morning of his life, he bade his attendants open the curtains of his bed and the windows of his bed-chamber, that he might once more see the sun. "For God's sake, send for a Catholic priest," said he, in the desire for absolution; but checked himself, lest he should expose the Duke of York to danger. He pardoned all his enemies, no doubt sincerely.

The queen sent to beg forgiveness for any offences. "Alas, poor woman, she beg my pardon!" he replied: "I beg hers with all my heart; take back to her that answer." He expressed some regard for his brother, his children, his mistresses. "Do not leave poor Nelly Gwyn to starve," was almost his last commission.

On the favor of this lewd king of England depended the liberties of New England, where lewdness was held a crime and adultery punished by death on the gallows.

## CHAPTER XII.

## THE RESTORED DYNASTY AND ITS FIRST PARLIAMENT.

IN the midst of universal gladness in England, the triumph of the royalists was undisputed. The arms of 1660. the commonwealth, and the emblems of republicanism, were defaced and burnt with every expression of hatred and scorn. Of the democratic party, which Cromwell had subdued, the adherents sought obscurity among the crowd, while the leaders were obliged to hide themselves from the fever of popular anger. The melancholic inflexibility and the self-denying austerity of republicanism were out of vogue; levity and licentiousness came in fashion. Every combination that had opposed royalty had, in the eagerness of political strife, failed to establish a government on a permanent basis. England remembered that, under its monarchs, it had elected parliaments, enjoyed the trial by jury, and prospered in affluent tranquillity. Except in New England, royalty was alone in favor. The republic in England was fallen into extreme disgrace; the democratic revolution would have completely failed, except that, with all its faults, its wildness, and its extravagance, it set in motion the ideas of popular liberty which the experience of happier ages was to devise ways of introducing into the political life of the nation. We shall presently see that the hasty and immoderate loyalty of the moment doomed the country to an arduous struggle and the necessity of a new revolution.

The immediate effects of the restoration were saddened by embittered revenge. All the regicides that were seized would have perished, but for Charles II., whom good nature led at last to exclaim: "I am tired of hanging, except for new offences." All haste was, however, made to despatch

at least half a score, as if to appease the shade of Charles I.; and among the selected victims was Hugh Peter, once the minister of Salem, the father-in-law of the younger Winthrop; one whom Roger Williams honored and loved, and whom Milton is supposed to include among

Men whose life, learning, faith, and pure intent  
Would have been held in high esteem with Paul.

As a preacher, his homely energy resembled the eloquence of Latimer and the earlier divines; in Salem he won general affection; he was ever striving to advance the interests and quicken the industry of New England, and had assisted in founding the earliest college. Monarchy and episcopacy he had repelled with fanatical passion. Though he was not himself a regicide, his zeal made him virtually an accomplice, by his influence over others. Nor was he free from that bigotry which refuses to extend the rights of humanity beyond its own altars and its own race; he could thank God for the massacres of Cromwell in Ireland. And yet benevolence was deeply fixed in his heart; and he would plead for the rights of the feeble and the poor. Of his whole career, it was said that "many godly in New England dared not condemn what Hugh Peter had done." On his trial, he was allowed no counsel; and, indeed, his death had been resolved upon beforehand, though even false witnesses did not substantiate the specific charges urged against him. His last thoughts reverted to Massachusetts. "Go home to New England, and trust God there," was his final advice to his daughter. At the gallows, he was compelled to wait while the body of his friend Cooke, who had just been hanged, was cut down and quartered before his eyes. "How like you this?" cried the executioner, rubbing his bloody hands. "I thank God," replied the martyr, "I am not terrified at it; you may do your worst." To his friends he said: "Weep not for me; my heart is full of comfort;" and he smiled as he made himself ready to leave the world. Even death could not save him from his enemies; cruelty justified itself by defaming its victim. So perished the first freeman of Massachusetts, who lost his life for opposition to monarchy.

1660.  
Oct. 14.

1660. The regicides, who had at nearly the same time  
Oct. been condemned, did not abate their confidence in  
their cause. Alone against a nation, pride of character  
blended with religious fervor and political enthusiasm.  
Death, under the horrid forms which a barbarous age had  
devised, they could meet with serenity. The voice within  
their breasts still approved what they had done; a better  
world seemed opening to receive them; and, as they as-  
cended the scaffold, their composure and resignation seemed  
to call on earth and heaven to witness how unjustly they  
suffered.

But it was not enough to punish the living; vengeance  
invaded the tombs. The corpses of Cromwell, Bradshaw,  
and Ireton, were, by the order of both houses of parliament,  
and with the approbation of the king, disinterred, dragged  
on hurdles to Tyburn, and hanged at the three corners of  
the gallows. In the evening, the same bodies were cut  
down and beheaded, amidst the merriment of the Cavaliers.

Of the judges of King Charles I., three escaped to Amer-  
ica. Edward Whalley, who had first won laurels in the  
field of Naseby, had ever enjoyed the confidence of Crom-  
well, and remained a friend to the Independents; and Wil-  
liam Goffe, a firm friend to the family of Cromwell, a good  
soldier, and an ardent partisan, but ignorant of the  
July 27. true principles of freedom, arrived in Boston, where  
Endecott, the governor, received them with courtesy.

For nearly a year, they resided unmolested within the  
limits of Massachusetts, where they preached and prayed,  
and gained universal applause. When warrants ar-  
1661. rived from England for their apprehension, they fled  
across the country to New Haven, where it was es-  
teemed a crime against God to bewray the wanderer or  
give up the outcast. Yet such diligent search was made  
for them that they never were in security. For a time  
they removed in secrecy from house to house; sometimes  
concealed themselves in a mill, sometimes in clefts of  
the rocks by the seaside; and for weeks together, and  
even for months, they dwelt in a cave in the forest.

June 24 to Aug. 19 Great rewards were offered for their apprehension;

Indians as well as English were urged to scour the woods in quest of their hiding-place, as men hunt for the holes of foxes. When the zeal of the search was nearly over, they retired to a little village on the Sound; till at last they escaped by night to an appointed place of refuge in Hadley, and the solitudes of the most beautiful valley of New England gave shelter to their wearisome and repining age.

John Dixwell was more fortunate. He was able to live undiscovered, and, changing his name, was absorbed among the inhabitants of New Haven. He married and lived peacefully and happily. The history of the world, which Raleigh had written in imprisonment, with the sentence of death hanging over his head, was the favorite study of the man whom the laws of England had condemned to the gallows; and he ever retained a firm belief that the spirit of English liberty would demand a new revolution, which was achieved in England a few months before his end, and of which the earliest rumors may have reached his death-bed.

Three of the regicides, who had escaped to the Netherlands, found themselves, in the territory of a free republic, less secure than their colleagues in a dependent colony. They were surrendered by the states, and <sup>1662.</sup> <sub>Apr. 19.</sub> executed in England.

Retributive justice, thought many, required the execution of regicides. Another victim was selected for his genius and integrity; such was the terror inspired by their influence. Now that all England was carried away with eagerness for monarchy, Sir Henry Vane, the former governor of Massachusetts, the benefactor of Rhode Island, the ever faithful friend of New England, adhered with undaunted firmness to "the glorious cause" of popular liberty; and, shunned by every man who courted the returning monarch, he became noted for the most "catholic" unpopularity. He fell from the affections of the English people, when the English people fell from the jealous care of their liberties. He had ever been incorrupt and disinterested, merciful and liberal. When Unitarianism was persecuted, not as a sect, but as a blasphemy, Vane interceded for its advocate; he

pledged for the liberty of Quakers imprisoned for their opinions: as a legislator, he demanded justice in behalf of the Roman Catholics; he resisted the sale of Penruddoc's men into slavery, as an aggression on the rights of man. The immense emoluments of his office as treasurer of the navy he voluntarily resigned. When the Presbyterians, though his adversaries, were forcibly excluded from the house of commons, he also absented himself. When the monarchy was overthrown and a commonwealth attempted, Vane reluctantly filled a seat in the council; and, resuming his place as a legislator, amidst the floating wrecks of the English constitution, he clung to the existing parliament as to the only fragment on which it was possible to rescue English liberty. His energy gave to the English navy its efficient organization; if England could cope with Holland on the sea, the glory of preparation is Vane's. His labors in that remnant of a parliament were immediately turned to the purification of liberty in its sources; and he is believed to have anticipated every great principle of the modern reform bill. He steadily resisted the usurpation of Cromwell; as he had a right to esteem the sorrows of his country his private sorrows, he declared it "no small grief that the evil and wretched principles of absolute monarchy should be revived by men professing godliness;" and Cromwell, unable to intimidate him, confined him to Carisbrook Castle. Both Cromwell and Vane were unsuccessful statesmen: the first desired to secure the government of England to his family; the other, to vindicate it for the people.

1662. The convention parliament had excepted Vane from the indemnity, on the king's promise that he should not suffer death. It was now resolved to bring him to trial; and he turned his trial into a triumph. Though "before supposed to be a timorous man," he appeared before his judges with animated fearlessness. Instead of offering apologies for his career, he denied the imputation of treason with settled scorn, defended the right of Englishmen to be governed by successive representatives, and took glory to himself for actions which promoted the good

of England, and were sanctioned by parliament as the virtual sovereign of the realm. He spoke not for his life and estate, but for the honor of the martyrs to liberty that were in their graves, for the liberties of England, for the interest "of all posterity in time to come." He had asked for counsel. "Who," cried the solicitor, "will dare to speak for you, unless you can call down from the gibbet the heads of your fellow-traitors?" "I stand single," said Vane; "yet, being thus left alone, I am not afraid, in this great presence, to bear my witness to the glorious cause, nor to seal it with my blood." Such true magnanimity stimulated the vengeance of his enemies; "they clamored for his life." "Certainly," wrote the king, "Sir Henry Vane is too dangerous a man to let live, if we can honestly put him out of the way." It was found he could not honestly be put out of the way; but still, the solicitor urged, "he must be made a sacrifice."

The day before his execution, his friends were admitted to his prison; and he cheered their drooping spirits, reasoning calmly on death and immortality. He reviewed his political career, and could say: "I have not the least recoil in my heart as to matter or manner of what I have done." A friend spoke of prayer, that for the present the cup of death might be averted. "Why should we fear death?" answered Vane; "I find it rather shrinks from me than I from it." His children gathered round him, and he stooped to embrace them, mingling consolation with kisses. "The Lord will be a better father to you;" "be not you troubled, for I am going home to my Father." And his farewell counsel was: "Suffer any thing from men rather than sin against God." When his family had withdrawn, he declared his life to be willingly offered to confirm the wavering and convince the ignorant. The defence of popular liberty in the English dominions still seemed to him the noblest office. "I leave my life as a seal to the justness of that quarrel. Ten thousand deaths, rather than defile the chastity of my conscience; nor would I, for ten thousand worlds, resign the peace and satisfaction I have in my heart."

The plebeian Hugh Peter had been hanged ; Sir Henry Vane was to suffer on the block. The same cheerful resignation animated him on the day of his execution. As the procession moved through the streets, men from the windows and tops of houses poured out prayers for him as he passed by ; and the people shouted aloud : " God go <sup>1662.</sup> with you." <sup>June 14.</sup> Arrived on the scaffold, he was observable above all others by the intrepidity of his demeanor. Surveying the surrounding multitude with composure, he sought to awaken in their souls the love of English liberty. His voice was overpowered with trumpets ; finding he could not bear an audible testimony to his principles, he was not in the least disconcerted by the rudeness, but by the serenity of his manner continued to show with what calmness an honest patriot could die. With unbroken trust in Providence, he believed in the progress of civilization ; and, while he reminded those around him that " he had foretold the dark clouds which were coming thicker and thicker for a season," it was still " most clear to the eye of his faith " that a better day would dawn in the clouds. " Blessed be God," exclaimed he, as he bared his neck for the axe, " I have kept a conscience void of offence to this day, and have not deserted the righteous cause for which I suffer." That righteous cause was civil and religious liberty ; in the history of the world, he was the first martyr to the principle of the paramount power of the people ; and, as he had predicted, " his blood gained a voice to speak his innocence."

Puritanism, with the sects to which it gave birth, ceased to sway the destinies of England. The army of Cromwell had displayed its power in the field ; Milton still lived to illustrate what poetry it could create, in works that are counted among the noblest productions of the human mind ; Vane proved how fearlessly it could bear testimony for liberty in the face of death ; New England is the monument of its power to establish free states. The ancient monarchy of England would not yield to new popular establishments ; but the bloom of immortality belongs to

the example of Vane, to the poetry of Milton, and, let us hope, to the institutions of New England.

The new parliament was chosen just before the coronation, while the country still glowed with unreflecting loyalty. Few Presbyterians were returned: the irresistible majority, many of whom had fought for the king, was all for monarchy and prelacy. Severe enactments restrained the liberty of the press; the ancient right of petition was narrowed and placed under supervision. The restored king was a papist; but whoever should affirm him to be a papist was incapacitated from holding office in church or state. He was ready "to conspire with the king of France and wicked advisers at home, to subvert the religion and liberty of the English people;" and the parliament, in its eagerness to condemn rebellion, renounced for itself every right of withstanding him even in defensive war.

The Presbyterians formed the governing body in many municipalities; the sincere ones were dislodged by an act removing all incumbents who should not by oath declare it unlawful to take up arms against the king on any pretence whatsoever; and, for the future, requiring of every candidate that, within the year before the election, he should have received the sacrament according to the rites of the church of England.

The Book of Common Prayer and the ceremonies, having never been abrogated by law, revived with the restoration. The king from Holland had in some measure laid asleep the watchfulness of those whom he most feared, by promising that the scruples of the Presbyterians should be respected; and, with regard to ceremonies, pretended that he would have none to receive the sacrament on the knees or to use the cross in baptism. Cranmer saw no intrinsic difference between bishops and priests; and "the old common, moderate sort" of Episcopalian had taken Episcopacy to be good, but not necessary, and owned the reformed churches of the continent to be true ones. But now the royalist majority in the house of commons, though they restored a rubric declaring against any corporal presence in the Lord's Supper, in the act of uniformity went beyond

the enactments of the reign of Queen Elizabeth. "Episcopal ordination was now, for the first time," so writes a great English historian, "made an indispensable qualification for church preferment." In this manner, the reformed churches alike of England and the continent were set aside and excluded from fellowship with the Anglican church. Every minister who should not, before the twenty-fourth of August, 1662, publicly declare his assent and consent to every thing contained in the Book of Common Prayer, was by his silence deprived of his benefice; and on that day nearly two thousand persons gave up their livings rather than stain their consciences. The subscription was required even of schoolmasters: at one swoop, the right of teaching was taken away from every person in England, except high churchmen, in order that every child born there might be brought up in the strongest attachment to royal authority, hereditary right, and the established church.

The example of the unselfish, ejected ministers carried with them the reflecting middling class of England. An act of 1664 made attendance at a dissenting place of worship a crime, to be punished on conviction without a jury before a single justice of the peace, by long imprisonment for the first and second offence and by seven years' transportation for the third. Moreover, it was specially provided that the exiled Calvinist could not be shipped to New England, where he would have found sympathy and an open career. The people still looked to their old evangelical ministers for instruction and consolation. To strike a death blow at non-conformity, a statute of 1665 required the deprived to swear that it is not lawful under any pretext whatsoever to take arms against the king, and that they would not at any time endeavor any alteration in church or state. Those who refused this oath not only were forbidden to support their impoverished families by teaching: a new invention of cruelty separated them from their old friends and prohibited them from coming within five miles of any city, corporate town, borough sending members to parliament, or towns where they had themselves resided as ministers. The Catholics, led by the Duke of York, supported the act

of uniformity in its severest form, having for their ulterior object to bring about a union between themselves and all the disfranchised for their joint relief.

To the Anglican church this total expulsion of the Calvinists wrought as much evil as the extermination of the Huguenots inflicted on the kingdom of France. The Calvinists were driven out of the establishment before the ambiguity as to the mediatorial powers of the clergy was removed from the service-book ; before universal education, which was the common enjoyment of every Scottish and of every New England child, had been secured to the people of England ; and before the right of the people to resist a king who violates the constitution was acknowledged and confirmed. The establishment which excluded them lost all pretensions to being the church of the whole British people ; the cardinal points of their creed remained behind them. in the thirty-nine articles, for subscription by a clergy which till the accession of James I. had accepted that creed as indispensable, and since that epoch had been gradually becoming Arminian ; while every terrible measure of oppression against the dissenters in England, in Scotland, or in Ireland, gave new energy to their stronghold in America, deepening the gulf which divided the mother country from its colonies.

The American colonies were held, alike by the nature of the English constitution and the principles of the common law, to be subordinate to the English parliament, and bound by its acts, whenever they were specially named in a statute or were clearly embraced within its provisions. An issue was thus made between England and America, where, as we have seen, Massachusetts refused to be subject to the laws of parliament, and had remonstrated against such subjection, as "the loss of English liberty." The Long Parliament had conceded the justice of the remonstrance.

On the restoration of Charles II; the convention parliament granted to the monarch a subsidy of 1660. twelvepence in the pound, that is, of five per cent, on all merchandise exported from or imported into the kingdom of England, or "any of his majesty's dominions

thereto belonging." Doubts arising, not whether the power of parliament was coextensive with the English empire, but what territories the terms of the act included, they were interpreted to exclude "the dominions not of the crown of England." The tax was never levied in the colonies; nor was it understood that the colonies were bound by a statute, unless they were expressly named.

That distinctness was not wanting, when it was required by the interests of English merchants. The navigation act of the commonwealth had not been designed to trammel the commerce of the colonies; the convention parliament, which betrayed the liberties of England, by restoring the Stuarts without conditions, now, by one of the most memorable statutes in the English maritime code, connected in one act the protection of English shipping, and a monopoly to the English merchant of the trade with the colonies. In the reign of Richard II., the commerce of English ports had been secured to English shipping: the act of navigation of 1651 had done no more. The present act renewed the same provisions, and further avowed the design of sacrificing the natural rights of the colonists to English interests. "No merchandise shall be imported into the plantations but in English vessels, navigated by Englishmen, under penalty of forfeiture." The harbors of the colonies were shut against the Dutch and every foreign vessel. America, as the asylum of the oppressed, invited emigrants from the most varied climes. Henceforward, none but native or naturalized subjects should become a merchant or factor in any English settlement, excluding the colonists from the benefits of a foreign competition.

American industry produced articles for exportation; but these articles were of two kinds. Some were produced in quantities only in America, and would not compete in the English market with English productions. These were enumerated, and it was declared that none of them, that is, no sugar, tobacco, ginger, indigo, cotton, fustic, dyeing woods, shall be transported to any other country than those belonging to the crown of England, under penalty of for-

feiture ; and, as new articles of industry of this class grew up in America, they were added to the list. But such other commodities as the English merchant might not find convenient to buy, the American planter might ship to foreign markets ; the farther off the better, because they would thus interfere less with the trades which were carried on in England. The colonists were therefore, by a clause in the navigation act, confined to ports south of Cape Finisterre.

Hardly had time enough elapsed for a voyage or two across the Atlantic, before it was found that the English merchant might derive still further advantages at the cost of the colonists, by the imposition of still further restraints. A new law prohibited the importation of European commodities into the colonies, except in English ships from England, to the end that England might be made the staple not only of colonial productions, but of colonial supplies. Thus the colonists were compelled to buy in England not only all English manufactures, but every thing else that they might need from any soil but their own.

The activity of the shipping of New England, which should only have excited admiration, excited envy in the minds of the English merchants. The produce of the plantations of the southern colonies was brought to New England, as a result of colonial exchanges. To the extravagant fears of mercantile avarice, New England was become a staple. In 1673, parliament therefore resolved to exclude New England merchants from competing with the English in the markets of the southern plantations ; the liberty of free traffic between the colonies was accordingly taken away ; and any of the enumerated commodities exported from one colony to another were subjected to a duty equivalent to the duty on the consumption of these commodities in England.

By degrees, the avarice of English shopkeepers became bolder ; and America was forbidden, by act of parliament, not merely to manufacture those articles which might compete with the English in foreign markets, but even to supply herself, by her own industry, with those articles which her position enabled her to manufacture with success for her own wants.

The policy of Great Britain, with respect to her colonies, was a system of monopoly, adopted after the example of Spain, and for more than a century inflexibly pursued, in no less than twenty-nine acts of parliament. The colonists were allowed to sell to foreigners only what England would not take; so that they might gain means to pay for the articles forced upon them by England.

The effects of this system were baleful to the colonies. They could buy European and all foreign commodities only at the shops of the metropolis; and thus the merchant of the mother country could sell his goods for a little more than they were worth. England gained at the expense of America. The profit of the one was balanced by the loss of the other.

In the sale of their products, the colonists were equally injured. The English, being the sole purchasers, could obtain those products at a little less than their fair value. The merchant of Bristol or London was made richer; the planter of Virginia or Maryland was made poorer. No new value was created; one lost what the other gained; and both parties had equal claims to the benevolence of the legislature.

Thus the colonists were wronged, both in their purchases and in their sales; the law "cut them with a double edge." The English consumer gained nothing; for the surplus colonial produce was re-exported to other nations. The English merchant, not the English people, profited by the injustice. The English people were sufferers. Not that the undue employment of wealth in the colonial trade occasioned an injurious scarcity in other branches of industry; for the increased productiveness of capital soon yielded a larger supply than ever for all kinds of business. But the navigation act involved the foreign policy of England in contradictions; she was herself a monopolist of her own colonial trade, and yet steadily aimed at enfranchising the trade of the Spanish settlements. Hence arose a set of relations which we shall find pregnant with consequences.

In the domestic policy of England, the act increased the tendency to unequal legislation. The English merchant

having become the sole factor for American colonies, and the manufacturer claiming to supply colonial wants, the English landholder consented to uphold the artificial system only by sharing in its emoluments; and in 1663 corn laws began to be enacted, in order to secure the profits of capital, applied to agriculture, against the dangers of foreign competition. Thus the system which impoverished the Virginia planter, by lowering the price of his tobacco crop, oppressed the English laborer, by raising the price of his bread; till at last a whig ministry could offer a bounty on the exportation of corn.

The law was still more injurious to England, from its influence on the connection between the colonies and the metropolis. Durable relations in society are correlative, and reciprocally beneficial. In this case, the statute was made by one party to bind the other, and was made on iniquitous principles. Established as the law of the strongest, it could endure no longer than the superiority in force. It converted commerce, which should be the bond of peace, into a source of rankling hostility, scattered the certain seeds of a civil war, and contained a pledge of the ultimate independence of America.

To the colonists, the navigation act was, at the time, an unmitigated evil; for the prohibition of planting tobacco in England and Ireland was a useless mockery. As a mode of taxing the colonies, the monopoly was a failure; the contribution was made to the pocket of the merchant, not to the treasury of the metropolis.

The usual excuse for colonial restrictions is founded on the principle that colonies were established at the cost of the mother country for that very purpose. In the case of the American colonies, the apology cannot be urged. The state founded none of them. The colonists escaped from the mother country, and had, at their own cost and by their own toil, made for themselves dwellings in the New World. Virginia was founded by a private company; New England was the home of exiles. England first thrust them out; and owned them as her children only to oppress them!

Again, it was said that the commercial losses of the

colonists were compensated by protection. But the connection with the mother country was fraught with danger; for the rivalry of European nations did but transfer the scenes of their bloody feuds to the wilds of America.

The monopoly, it must be allowed, was of the least injurious kind. It was conceded not to an individual, nor to a company, nor to a single city, but was open to the competition of all Englishmen.

The history of the navigation act would be incomplete, were it not added that, whatever party obtained a majority, it never, till the colonies gained great strength, occurred to the British parliament that the legislation was a wrong. Bigotry is not exclusively a passion of religious superstition.\* Its root is in the human heart, and it is reproduced in every age. Blinding the intellectual eye and comprehending no passion but its own, it is the passionate and partial defence of an existing interest. The Antonines of Rome, or, not to go beyond English history, Elizabeth, James I., and Charles I., did not question the divine right of absolute power. The Cavaliers, in the civil war, did not doubt the sanctity of the privileges of birth; and now the English parliament, as the instrument of mercantile fears and covetousness, had no scruple in commencing the legislation, which, when the colonists grew powerful, was, by the greatest British economist, declared to be "a manifest violation of the rights of mankind."

## CHAPTER XIII.

## CHARLES II. CONNECTICUT AND RHODE ISLAND.

THE commission issued by the king on the first day of December, 1660, to Clarendon and seven others as a standing council, for regulating the numerous remote colonies and governments, "so many ways considerable to the crown," included the names of the Earl of Manchester and the Viscount Say and Seal, who were sincere friends to New England.

Massachusetts, which had been republican, but never regicide, strong in its charter, made no haste to present itself in England as a suppliant. "The colony of Boston," wrote Stuyvesant, "remains constant to its old maxims of a free state, dependent on none but God." Had the king resolved on sending them a governor, the several towns and churches throughout the whole country were resolved to oppose him.

The colonies of Plymouth, of Hartford, and of New Haven, not less than of Rhode Island, proclaimed the new king and acted in his name; and the rising republic on the Connecticut appeared in London by its representative, the younger Winthrop. They had purchased their lands of the assigns of the Earl of Warwick, and from Uncas they had bought the territory of the Mohe-<sup>1661.</sup> <sub>Mar. 14.</sub> gans; and the news of the restoration awakened a desire for a patent. But the little colony proceeded warily: they draughted among themselves the instrument which they desired the king to ratify; and they could plead for their possessions their rights by purchase, by conquest from the Pequods, and by their own labor, which had redeemed the wilderness. A letter was also addressed from Connecticut to the aged Lord Say and Seal, its early friend.

The venerable man, too aged for active exertion, secured

for his clients the kind offices of the lord chamberlain, the Earl of Manchester, a man "of an obliging temper, universally beloved, being of a virtuous and generous mind." "Indeed he was a noble and a worthy lord, and one that loved the godly." "He and Lord Say did join together, that their godly friends in New England might enjoy their just rights and liberties."

But the chief happiness of Connecticut was in the selection of its agent. In the younger Winthrop, the qualities of human excellence were mingled in such happy proportions that, while he always wore an air of contentment, no enterprise in which he engaged seemed too lofty for his powers. Even as a child, he had been the pride of his father's house ; he had received the best instruction which Cambridge and Dublin could afford ; and had perfected his education by visiting, in part at least, in the public service, not Holland and France only, in the days of Prince Maurice and Richelieu, but Venice and Constantinople. From boyhood his manners had been spotless ; and the purity of his soul added lustre and beauty to the gifts of nature and industry ; as he travelled through Europe, he sought the society of men eminent for learning. Returning to England in the bloom of life, with the fairest promise of preferment, he preferred to follow his father to the New World ; regarding "diversities of countries but as so many inns," alike conducting to "the journey's end." When his father, the father of Massachusetts, became impoverished, the pious son, unsolicited and without recompense, relinquished his large inheritance, that "it might be spent in furthering the great work" in Massachusetts ; himself, single-handed and without wealth, engaging in the enterprise of planting Connecticut. Care for posterity seemed the motive to his actions. He respected learning and virtue and ability in whatever sect they might be found ; and, when Quakers had become the objects of persecution, he was unremitting in argument and entreaty to prevent the taking of their lives. Master over his own mind, he never regretted the brilliant prospects he had resigned, nor complained of the comparative solitude of New London ; a

large library furnished employment to his mind ; the study of nature according to the principles of the philosophy of Bacon was his delight, for "he had a gift in understanding and art ;" and his home was endeared by a happy marriage and "many sweet children." His knowledge of human nature was as remarkable as his virtues. He never attempted impracticable things ; but, understanding the springs of action and the principles that control affairs, he calmly and noiselessly succeeded in all that he undertook. The New World was full of his praises ; Puritans and Quakers and the freemen of Rhode Island were alike his eulogists ; the Dutch at New York had confidence in his integrity. In history he appears by unanimous consent, from early life, without a blemish ; and it is the beautiful testimony of his own father that "God gave him favor in the eyes of all with whom he had to do." His personal merits, sympathy for his family, his exertions, the petition of the colony, and, as I believe, the real good-will of Clarendon, — for we must not reject all faith in gen-<sup>1662.</sup> erous feeling, — easily prevailed to obtain for Connecticu<sup>Apr. 20.</sup>t an ample patent. The courtiers of King Charles, who themselves had an eye to possessions in America, suggested no limitations ; and perhaps it was believed that Connecticut would serve to balance the power of Massachusetts.

The charter, disregarding the hesitancy of New Haven, the rights of the colony of New Netherland, and the claims of Spain on the Pacific, connected New Haven with Hartford in one colony, of which the limits were extended from the Narragansett River to the Pacific Ocean.

With regard to powers of government, the charter was still more extraordinary. It confirmed to the colonists the unqualified power to govern themselves, which they had assumed from the beginning. Nothing was changed in their internal administrations, nor in their relations to the crown. They were allowed to elect all their own officers, to enact their own laws, to administer justice without appeals to England, to inflict punishments, to confer pardons, and, in a word, to exercise every power, deliberative and

active. The king, far from reserving a negative on their laws, did not even require that they should be transmitted for his inspection; and no provision was made for the interference of the English government in any event whatever. Connecticut was independent except in name.

After his successful negotiations and efficient concert in founding the Royal Society, Winthrop returned to America, bringing with him a name which England honored and which his country should never forget. The amalgamation of the two colonies could not be effected without collision; New Haven had been unwilling to merge itself in the larger colony; his wise moderation was able to reconcile the jarrings, and blend the interests of the united colonies. The universal approbation of Connecticut followed him throughout his life. Near the end of his first year of office as governor, the general court propounded to the freemen an alteration of the fundamental law which permitted the same person to be chosen governor only once in two successive years; and in the ensuing court it was voted by the freemen that for the future there should be liberty of a free choice yearly either of the same person or another; and for twice seven years he continued to be annually elected to the office of her chief magistrate.

<sup>1662 to</sup>  
<sup>1676.</sup> The gratitude of Connecticut was reasonable. The charter which Winthrop obtained secured to her an existence of unsurpassed tranquillity. Civil freedom was safe under the shelter of masculine morality; and beggary and crime could not thrive in the midst of severest manners. From the first, the minds of the yeomanry were kept active by the constant exercise of the elective franchise; and, except under James II., there was no such thing in the land as a home officer appointed by the English king. Connecticut, from the first, possessed unmixed popular liberty. The government was in honest and upright hands; the strifes of rivalry never became heated; the magistrates were sometimes persons of no ordinary endowments; but, though gifts of learning and genius were valued, the state was content with virtue and single-mindedness; and the public welfare never suffered at the hands of plain men.

Roger Williams had ever been a welcome guest at Hartford ; and “that heavenly man, John Haynes,” would say to him: “I think, Mr. Williams, I must now confess to you that the most wise God hath provided and cut out this part of the world as a refuge and receptacle for all sorts of consciences.” There never existed a persecuting spirit in Connecticut ; and “it had a scholar to their minister in every town or village.” Education was cherished ; religious knowledge was carried to the highest degree of refinement, alike in its application to moral duties and to the mysterious questions on the nature of God, of liberty, and of the soul. A hardy race multiplied along the alluvion of the streams, and subdued the more rocky and less inviting fields ; its population for a century doubled once in twenty years, in spite of considerable emigration. Religion united with the pursuits of agriculture, to give to the people the aspect of steady habits. The domestic wars were discussions of knotty points in theology ; the concerns of the parish, the merits of the minister, were the weightiest affairs ; and a church reproof the heaviest calamity. The strifes of the parent country, though they sometimes occasioned a levy among the sons of the husbandmen, never brought an enemy over their border. No fears of midnight ruffians disturbed the sweetness of slumber ; the best house required no fastening but a latch, lifted by a string.

There was nothing morose in the Connecticut character ; it was temperate industry enjoying the abundance which it had created. No great inequalities of condition excited envy or raised political feuds ; wealth could display itself only in a larger house and a fuller barn ; and covetousness was satisfied by the tranquil succession of harvests. There was venison from the hills ; salmon, in their season, not less than shad, from the rivers ; and sugar from the trees of the forest. For a foreign market little was produced beside cattle ; and in return for them but few foreign luxuries stole in. Even so late as 1713, the number of seamen did not exceed one hundred and twenty. The soil had originally been justly divided, or held as common property in trust for the public, and for new comers. Forestalling was suc-

cessfully resisted ; the brood of speculators in land inexorably turned aside. Happiness was enjoyed unconsciously ; beneath a rugged exterior humanity wore its sweetest smile. There was for a long time hardly a lawyer in the land. The husbandman who held his own plough, and fed his own cattle, was the great man of the age ; no one was superior to the matron, who, with her busy daughters, kept the hum of the wheel incessantly alive, spinning and weaving every article of their dress. Fashion was confined within narrow limits ; and pride, which aimed at no grander equipage than a pillion, could exult only in the common splendor of the blue and white linen gown, with short sleeves, coming down to the waist, and in the snow-white flaxen apron, which, primly starched and ironed, was worn on public days. There was no revolution except from the time of sowing to the time of reaping ; from the plain dress of the week to the more trim attire of Sunday.

Every family was taught to look to the Fountain of all good. Yet life was not sombre. Frolic mingled with innocence : religion itself sometimes wore the garb of gayety ; and the annual thanksgiving to God was, from primitive times, as joyous as it was sincere. Nature always asserts her rights, and abounds in means of gladness.

One question distressed and divided families. Without inward experience of the truth and power of Christianity, no one of a congregation of Calvinists was admitted to take the covenant which gave admission to the communion table ; and the rite of baptism was administered to the children of those only who were communicants. There grew up an increasing number of parents of blameless lives, who did not become members of the church, and yet who wished baptism for their children. Influenced by their condition, the general court of Connecticut expressed a desire for a council of ministers of the four confederated Calvinistic colonies. The general court of Massachusetts, moving in the same direction, proposed to refer the question to a general synod, and of itself went so far as to appoint fifteen ministers of its own colony as its delegates. Connecticut readily followed the example ; but Plymouth kept aloof ; and the

austere colony of New Haven, guided by the inflexible Davenport, not only refused to send delegates, but by letter strongly rebuked the measure as fraught with dangers to religion. Yet the synod, representing the two colonies which, in extent of territory and in numbers, far outweighed the rest, sanctioned the baptizing of children of parents who were not ready to assume all the obligations of church members, but yet would promise to give their offspring a Christian education. This mode of settlement was called in derision "the half-way covenant," which the most rigid Calvinists dreaded and abhorred.

By the customs of the Congregational churches, the decision of the synod was but a recommendation, leaving the decision to each church for itself. In 1662, a Massachusetts synod repeated the advice which had before been given in conjunction with Connecticut; and the general court sent it out to the several towns "for the consideration of all the churches and people." There, in Massachusetts, legislative action on the matter ended. Connecticut, after its absorption of New Haven, recommended the new and less exclusive system to the churches for adoption; but the majority of them adhered stiffly to the ancient rule.

The frugality of private life had its influence on public expenditure. Half a century after the concession of the charter, the annual expenses of the government did not exceed eight hundred pounds, or four thousand dollars; and the wages of the chief justice were ten shillings a day while on service. In each county a magistrate acted as judge of probate, and the business was transacted with small expense to the fatherless.

Education was always esteemed a concern of deepest interest, and there were common schools from the first. Nor was it long before a small college, such as the day of small things permitted, began to be established; and Yale owes its birth "to ten worthy fathers, who, in 1700, assembled at Branford, and each one, laying a few volumes on a table, said: 'I give these books for the founding of a college in this colony.'"

But the political education of the people is due to the

happy organization of towns, which here, as indeed throughout all New England, constituted each separate settlement a self-governing democracy. It was the natural reproduction of the system, which the instinct of humanity had revealed to our Anglo-Saxon ancestors. In the ancient republics, citizenship had been an hereditary privilege. In Connecticut, it was acquired by inhabitancy, was lost by removal. Each town-meeting was a legislative body; and all inhabitants, the affluent and the more needy, the reasonable and the foolish, were members with equal franchises. There the taxes of the town were discussed and levied; there its officers were chosen; there roads were laid out and bridges voted; there the minister was elected, the representatives to the assembly were instructed. The debate was open to all; wisdom asked no favors; the churl abated nothing of his pretensions. Whoever reads the records of these village commonwealths will be perpetually coming upon some little document of political sagacity, which breathes the freshness of rural legislation, and wins a disproportioned interest from the justice and simplicity of the times. When exertions were required in a wider field, the public mind was quickened by associations with the early history of the colony; and when Connecticut emerged into scenes where a new political world was to be created, the rectitude that had ordered the affairs of a neighborhood showed itself in the field and in council.

During the intervening century, we shall rarely have occasion to recur to Connecticut: its institutions were perfected, and, with transient interruptions, were unharmed. Its history in all that period is the picture of colonial happiness. To describe its condition is but to enumerate the blessings of self-government, as exercised by a community of freeholders, who have leisure to reflect, who cherish education, and who have neither a nobility nor a populace. How dearly it remembered the parent island, is told by the English names of its towns. Could Charles II. have looked back upon earth, and seen what security his gift of a charter had conferred, he might have gloried in an act which redeemed his life from the charge of having been unproduc-

tive of public felicity. The contentment of Connecticut was full to the brim. In a proclamation under the great seal of the colony, it told the world that its days under the charter were "halcyon days of peace."

Those days never will return. Time, as it advances, unfolds new scenes in the grand drama of human existence, scenes of more glory, of more wealth, of more action, but not of more tranquillity and purity.

Rhode Island was fostered by Charles II. with still greater liberality. When Roger Williams had succeeded in obtaining from the Long Parliament the confirmed union of the territories that now constitute the state, he returned to America, leaving John Clarke as the agent of the colony in England. Never did a young commonwealth possess a more faithful friend; and never did a young people cherish a fonder desire for the enfranchisement of mind. "Plead our case," they had said to him in previous instructions, which Gorton and others had drafted, "in such sort as we may not be compelled to exercise any civil power over men's consciences; we do judge it no less than a point of absolute cruelty." And now that the hereditary monarch was restored and duly acknowledged, they had faith that "the gracious hand of Providence would preserve them in their just rights and privileges." "It is much in our hearts," they urged in their petition to Charles II., "to hold forth a lively experiment, that a most flourishing civil state may stand, and best be maintained, with a full liberty of religious concerns." The benevolent monarch listened to their petition; it is more remarkable that Clarendon exerted himself for the men who used to describe themselves as having fled from bishops as from wolves; the making trial of religious freedom in a nook of a remote continent could not appear dangerous; it might at once build up another rival to Massachusetts, and solve a curious problem in the history of man. The charter, therefore, which was delayed only by controversies about bounds, was at length perfected, and, with new principles, embodied all that had been

1652 to  
1664.

1658.  
Nov. 5.

1660.  
Oct 18.

1662.

1663.  
July 8.

granted to Connecticut. The supreme power was committed to a governor, deputy governor, ten assistants, and deputies from the towns. The scruples of the inhabitants were so respected that no oath of allegiance was required of them; the laws were to be agreeable to those of England, yet with the kind reference "to the constitution of the place, and the nature of the people;" and the monarch proceeded to exercise, as his brother attempted to do in England, and as by the laws of England he could not exercise within the realm, the dispensing power in matters of religion. "No person within the said colony, at any time hereafter, shall be any wise molested, punished, disquieted, or called in question, for any difference in opinion in matters of religion; every person may at all times freely and fully enjoy his own judgment and conscience in matters of religious concernments." The charter did not limit freedom to Christian sects alone; it granted equal rights to the painim and the worshipper of Fo. To the disciples of Confucius, it was, on the part of a Christian prince, no more than an act of reciprocal justice; the charter of Rhode Island was granted just one year after the emperor of China had proclaimed the enfranchisement of Christianity among the hundred millions of his people.

No joy could be purer than that of the colonists, when the news was spread abroad that "George Baxter, the <sup>1663.</sup> most faythful and happie bringer of the charter," had <sup>Nov. 24.</sup> arrived. On the beautiful island, long esteemed a paragon for fertility, and famed as one of the pleasantest seaside spots in the world, the whole body of the people gathered together, "for the solemn reception of his majesty's gracious letters patent." It was "a very great meeting and assembly." The letters of the agent "were opened, and read with good delivery and attention;" the charter was next taken forth from the precious box that held it, and "was read by Baxter, in the audience and view of all the people; and the letters with his majesty's royal stamp, and the broad seal, with much beseeming gravity, were held up on high, and presented to the perfect view of the people." Now their republic was safe; Massachusetts,

which had denied its separate existence, must yield to the mandate of their sovereign. And how could the inhabitants of Rhode Island be otherwise than grateful to Charles II., who had granted to them all that they had asked, without exacting even the oath of allegiance?

This charter of government, constituting, as it then seemed, a pure democracy, and establishing a political system which few beside the Rhode Islanders themselves believed to be practicable, remained in existence till it became the oldest constitutional charter in the world. It outlived the principles of Clarendon and the policy of Charles II. The probable population of Rhode Island, at the time of its reception, may have been two thousand five hundred. In one hundred and seventy years, that number increased forty-fold; and the government, which was hardly thought to contain checks enough on the power of the people to endure even among shepherds and farmers, protected a dense population and the accumulations of a widely extended commerce. Nowhere in the world were life, liberty, and property safer than in Rhode Island.

The thanks of the colony were unanimously voted to a triumvirate of benefactors: to "King Charles of England, for his high and inestimable, yea, incomparable favor;" to Clarendon, the historian, the statesman, the prime minister, who had shown "to the colony exceeding great care and love;" and to the modest and virtuous Clarke, the persevering and disinterested envoy, who, during a twelve years' mission, had sustained himself by his own exertions and a mortgage on his estate; whose whole life was a continued exercise of benevolence, and who, at his death, 1676. bequeathed all his possessions for the relief of the needy and the education of the young. Others have sought office to advance their fortunes; he, like Roger Williams, parted with his little means for the public good. He had unsparing enemies in Massachusetts, and left a name on which no one cast a shade.

It requires but small acquaintance with authors to discover those who bestow praise grudgingly, even where most deserved. Men of letters have the passions and frail-

ties of human nature, and display them in their writings ; and there are not wanting historical inquirers who are swayed by some latent motive of party to impair the merits of the illustrious dead, and envy the reputation of states. The laws of Rhode Island, which had been repeatedly revised by committees, were not published till after the excitements consequent on the Hanoverian succession ; and we find, in the oldest printed copy now extant, that Roman Catholics were excepted from the enjoyment of freedom of conscience. The exception was not the act of the people of Rhode Island ; nor do the public records indicate what committee of revisal made the alteration, for which the occasion grew out of English politics, and which kept its place in the code only so long as there were no Roman Catholics in the colony. When, in the war for independence, French ships arrived in the harbors of Rhode Island, the inconsistent exception was immediately erased by the legislature. There have been those who, arguing plausibly from the printed copy, have referred this exception to the first general assembly that met at Newport after the patent arrived. I have carefully examined the records, and find that the people of Rhode Island, on accepting their charter,

affirmed the great principle of intellectual liberty in <sup>1664</sup> March. its widest scope. In March, 1664, the first assembly did little more than organize the government anew, and repeal all laws inconsistent with the charter, — a repeal

which precludes the possibility of the disfranchising <sup>May 5.</sup> of Roman Catholics. In May, the regular session was held, and religious freedom was established in

the very words of the charter, which embrace not Roman Catholics merely, but men of every creed : "No person shall at any time hereafter be any ways called in question for any difference of opinion in matters of religion." In May, 1665, the legislature asserted that "liberty to all persons, as to the worship of God, had been a principle maintained in the colony from the very beginning thereof ; and it was much in their hearts to preserve the same liberty for ever." Nor does this rest on their own testimony in their own favor. The commissioners from England, who visited

Rhode Island, reported of its people: "They allow liberty of conscience to all who live civilly; they admit of all religions." And again, in 1680, the government of the colony could say, what there was no one oppressed individual to controvert: "We leave every man to walk as God persuades his heart; all our people enjoy freedom of conscience." To Jews who had inquired if they could find a home in Rhode Island, the assembly of 1684 made answer: "We declare that they may expect as good protection here as any stranger, not being of our nation, residing among us, ought to have;" and in August, 1694, the Jews, who from the time of their expulsion from Spain had had no safe resting-place, entered the harbor of Newport to find equal protection, and in a few years to build a house of God for a Jewish congregation. Freedom of conscience "to every man, whether Jew, or Turk, or papist, or whomsoever that steers no otherwise than his conscience dares," was, from the first, the trophy of Rhode Island.

What more shall we relate of it in this early period? That it obliged each freeman to subscribe his name on the outside of his ballot so as to make it his proxy? that, in 1665, it divided its general assembly into two houses,—a change which, near the close of the century, was permanently adopted? that it ordered the towns to pay the deputies three shillings a day for their legislative services? that it was importuned by Plymouth, and vexed by Connecticut, on the subject of boundaries? that, asking commercial immunities, it recounted to Clarendon the merits of its bay, "in very deed the most excellent in New England; having harbors safe for the biggest ships that ever sayled the sea, and open when others at the east and west are locked up with stony doors of ice"? that royal commissioners sought to dismember its scanty domain, and make a king's province of the Narragansett country? It is a more interesting question, if the rights of conscience and the freedom of mind were strictly respected.

The royal commissioners, in 1665, less charitable than the charter, required of all the oath of allegiance; the general assembly, scrupulous in its respect for the rights of

conscience, would listen to no proposition except for an engagement of fidelity, and due obedience to the laws, as a condition of exercising the elective franchise. This engagement being found irksome to the Quakers, it was the next year repealed.

There had been great difficulties in collecting taxes, and towns had refused to pay their rates. In 1671, a law was carried, inflicting a severe penalty on any one who should speak in town-meeting against the payment of the assessments. The law lost to its advocates their re-election; in the next year, the magistrates were selected from the people called Quakers, and freedom of debate was restored. George Fox himself was present among his Friends, demanding a double diligence in "guards against oppression," in the firm support "of the good of the people," and in the instruction of "all the people in their rights."

For Maryland, the restoration of the Stuarts was the restoration of its proprietary. Virginia possessed far stronger claims for favor than Rhode Island and Connecticut; <sup>1661.</sup> and Sir William Berkeley himself embarked for England as her agent. But she was unhappy alike in her envoy and in the object of her pursuit. Berkeley had zeal for the advancement of his own interests; and Virginia asked relief from the pressure of the navigation act, which Charles II. had so recently ratified, and from which relief could come only through parliament. Virginia received no guarantee for her established constitution except in the instructions to her governor; no reward for her loyalty. To satisfy the greediness of favorite courtiers, <sup>1669.</sup> Virginia in 1669 was dismembered by lavish grants; and in 1673 all that remained of the colony <sup>1673.</sup> was given away for a generation, as recklessly as a man would give away a life-estate in a farm.

Meantime, Sir William Berkeley made use of his presence in England for his own account, and in 1663 set the example of narrowing the limits of the province for which he acted, by embarking with Clarendon, and six other principal courtiers and statesmen of that day, in an immense speculation in lands. Berkeley, being about

to return to America, was perhaps esteemed a convenient instrument. King Charles was caricatured in Holland, with a woman on each arm, and courtiers picking his pocket. This time they took large provinces, which, if divided among the eight, would have given to each a tract as extensive as the kingdom of France.

To complete the picture of the territorial changes made by Charles II., it remains to be added that, in 1664, he enfeoffed his brother, the Duke of York, with the country between Pemaquid and the St. Croix, and, in defiance of his own charter to Winthrop, and the possession of the Dutch, and the rights of ten thousand inhabitants, with the fine country from Connecticut River to Delaware Bay. The grant of Nova Scotia to Sir Thomas Temple was not revoked; while, with the inconsistency of ignorance, Acadia, with indefinite boundaries, was restored to the French. The frozen zone itself was invaded, and Prince Rupert and his associates were endowed with a monopoly of the regions on Hudson's Bay. In 1667, the proprietary rights to New Hampshire and Maine were revived, with the intent to purchase them for the Duke of Monmouth. After Philip's war in New England, Mount Hope was hardly rescued from a courtier, then famous as the author of two indifferent comedies. The charter which secured a large and fertile province to William Penn, and thus invested philanthropy with executive power on the western bank of the Delaware, was a grant from Charles II. From the outer cape of Nova Scotia to Florida, with few exceptions, the tenure of every territory was changed. Nay, further, the trade with Africa, the link in the chain of universal commerce, that first joined Europe, Asia, and America together, and united the Caucasian, the Malay, and the Ethiopian races, was given away to a company, which alone had the right of planting on the African coast.

During the first four years of his power, Charles II. gave away a large part of a continent. Could he have continued as lavish, in the course of his reign he would have given away the world.

## CHAPTER XIV.

## MASSACHUSETTS AND CHARLES II.

MASSACHUSETTS never enjoyed the favor of the Stuart dynasty. The virtual independence which had been exercised for the last twenty years was too dear to be hastily relinquished. The news of the restoration, brought by the ships in which Goffe and Whalley were passengers, was received with skeptical anxiety; and no notice was taken of the event. At the session of the general court in October, a motion for an address to the king did not succeed; affairs in England were still regarded as unsettled. At last it became certain that the hereditary family of kings had recovered the throne, and that swarms of enemies to the colony had gathered round the new government; a general court was convened, and addresses were prepared for the parliament and the monarch. By advice of the great majority of elders, no judgment was expressed on the execution of Charles I. and "the grievous confusions" of the past. The colonists appealed to the king of England, as "a king who had seen adversity, and who, having himself been an exile, knew the hearts of exiles." They prayed for "the continuance of civil and religious liberties," and against complaints requested an opportunity of defence. "Let not the king hear men's words," such was their petition; "your servants are true men, fearing God and the king. We could not live without the public worship of God; that we might therefore enjoy divine worship without human mixtures, we, not without tears, departed from our country, kindred, and fathers' houses. Our garments are become old by reason of the very long journey; ourselves, who came away in our strength, are, many of us,

become gray-headed, and some of us stooping for age." In return for the protection of their liberties, they promise the blessing of a people whose trust is in God.

At the same time, Leverett, the patriotic and able agent of the colony, was instructed to make interest in its behalf with members of parliament and the privy council; to intercede for its chartered liberties; to resist appeals to England, alike in cases civil or criminal. Some hope was entertained that the new government might be propitious to New England commerce, and renew the favors which the Long Parliament had conceded. But Massachusetts never gained an exemption from the severity of the navigation act till she ceased to demand it as a favor.

Meantime, a treatise on the Christian commonwealth, which Eliot, the apostle of the Indians,—the same who had claimed for the people a voice even in making treaties,—had published in defence of constituting government through the willing self-organization of individuals into tens, then hundreds, then thousands, arriving last at a unity of the whole in a strictly popular government, was condemned, as too full of the seditious doctrines of democratic liberty. Upon this the single-minded author did not <sup>1661.</sup> Mar. 18. hesitate to suppress his book, and in guarded language to acknowledge the form of government by king, lords, and commons, as not only lawful, but eminent.

A letter from the king, expressing general good-will, <sup>Feb 15.</sup> could not quiet the apprehensions of the colonists. The committee for the plantations already surmised <sup>April.</sup> that Massachusetts would, if it dared, cast off its allegiance, and resort to an alliance with Spain, or to any desperate remedy, rather than admit of appeals to England. Upon this subject a controversy immediately arose; and the royal government resolved to establish the principle which the Long Parliament had waived.

It was therefore not without reason that the colony foreboded collision with the crown; and after a full report from a numerous committee, of which Bradstreet, Hawthorne, Mather, and Norton, were members, in May, 1661, the general court published a declaration <sup>May.</sup>

<sup>1681.</sup> <sub>June 10.</sub> of natural and chartered rights. In this paper, which was probably written by Thomas Danforth, they declare their liberties under God and their patent to be: to choose their own governor, deputy governor, and representatives; to admit freemen on terms to be prescribed at their own pleasure; to set up all sorts of officers, superior and inferior, and point out their power and places; to exercise, by their annually elected magistrates and deputies, all power and authority, legislative, executive, and judicial, without appeal, so long as the laws were not repugnant to the laws of England; to defend themselves by force of arms against every aggression; and to reject, as an infringement of their right, any parliamentary or royal imposition prejudicial to the country, and contrary to any just act of colonial legislation." The duties of allegiance were narrowed to a few points, which conceded neither revenue nor substantial power.

When the Puritan commonwealth had thus joined issue with its sovereign, by denying the right of appeal from its courts, and with the English parliament, by declaring the navigation act an infringement of its chartered rights, <sup>Aug. 7.</sup> on the seventh of August, more than a year after the restoration, Charles II. was proclaimed at Boston, amidst the cold observation of a few formalities. Yet the "gratulatory and lowly script," sent him on the same day, interpreted his letter as an answer of peace from "the best of kings." "Royal sir," it continued, excusing the tardiness of the colony with unseemly adulation, "your just title to the crown enthronizeth you in our consciences; your graciousnes in our affections; that inspireth unto dutie, this naturalizeth unto loyaltie; thence wee call you lord, hence a savior. Mephibosheth, how prejudiciall soever misrepresented, yet rejoiceth that the king is come in peace to his owne house. Nowe the Lord hath dealt well with our lord the king, may New England, under your royal protection, bee permitted still to sing the Lord's song in this strange land."

The young republic had continued the exercise of its government as of right; complaints against her had multiplied;

and her own interests, coinciding with the express orders of the monarch, induced her to send envoys to London. The country was divided in opinion ; the large majority insisted on sustaining its established system in undiminished force ; others were willing to make such concessions as would satisfy the ministry of Clarendon. The former party prevailed ; and, on the last day of December, John <sup>1661.</sup> Dec. 31. Norton, an accomplished scholar and rigid Puritan, yet a friend to moderate counsels, was joined with the worthy but not very able Simon Bradstreet in the commission to England. In January, 1662, they were <sup>1662.</sup> Jan. 24. instructed to persuade the king of the loyalty of the colony of Massachusetts, yet to "engage to nothing prejudicial to their present standing according to their patent, and to endeavor the establishment of the rights and privileges then enjoyed." Letters were at the same time transmitted to those of the English statesmen on whose friendship it was safe to rely.

King Charles received the messengers with courtesy ; and they returned in the fall with the royal answer, which probably originated with Clarendon. The charter was confirmed, and an amnesty of all offences during the late troubles was conditionally promised. But the king directed a repeal of all laws derogatory to his authority ; the taking of the oath of allegiance ; the administration of justice in his name ; a concession of the elective franchise to all freeholders of competent estates ; and, as "the principle of the charter was the freedom of the liberty of conscience," the allowance of that freedom to those who desired to use "the booke of common prayer, and perform their devotion in the manner established in England."

These injunctions were not wholly unreasonable in themselves ; henceforward legal proceedings were transacted in the king's name ; and, after a delay of two years, the right of the franchise was extended to all freeholders who paid an annual tax of ten shillings, provided the general court, on certificates to their orthodoxy and good life, should admit them as freemen. But the people of Massachusetts regarded not so much the nature of the requisitions as the

power by which they were made. Complete acquiescence would have seemed to recognise in the monarch the right of reversing the judgments of their courts; of dictating laws for their enactment; and of changing by his own authority the character of their domestic constitution. The question of obedience was a question of liberty, and gave birth to the parties of prerogative and of freedom.

The character of the times connected religious intolerance with the contest. Episcopacy and monarchy were feared as natural allies: Anabaptists had appeared before the ministry in England as plaintiffs against Massachusetts, and could boast of the special favor of Charles II. The principles of toleration were rapidly gaining ground, and had repeatedly possessed a majority in one branch of the legislature; but, now that Massachusetts was compelled to resume its opposition to monarchy, a censorship over the press was established; and the distrust of all dissension from the established forms of dissent awakened once more the energies of religious bigotry. The representatives of Massachusetts, instead of complying with the wishes of the king, resolved only on measures conducive "to the glory of God, and to the felicity of his people;" that is, to a continuance of their religious institutions and their democratic independence.

Meantime, the people of Massachusetts were not ignorant how great dangers they incurred by refusing to comply with the demand of their sovereign. In January, 1663, the council for the colonies complained "that the government there had withdrawn all manner of correspondence, as if intending to suspend their absolute obedience to the authority" of the king. False rumors, mingled with true reports, assisted to incense the court at St. James. Whalley and Goffe, it was currently asserted, were at the head of an army; the union of the four New England colonies was believed to have had its origin in the express "purpose of throwing off dependence on England." Sir Thomas Temple, Cromwell's governor of Acadia, had resided for years in New England, and now appeared as their advocate. "I assure you," such was Clarendon's message

to Massachusetts, "of my true love and friendship to your country; neither in your privileges, charter, government, nor church discipline, shall you receive any prejudice." Yet the news was soon spread abroad that commissioners would be appointed to regulate the affairs of New England; and, early in 1664, there was room to 1664 believe that they had already embarked, and that ships-of-war would soon anchor in the harbor of Boston.

Precautionary measures were promptly adopted. The patent was delivered to a committee of four, by whom it was to be kept safely and secretly for the country. To guard against danger from an armed force, officers and soldiers were forbidden to land from ships, except in small parties; and strict obedience to the laws of Massachusetts was required from them. The train-bands were reviewed; the command of the castle at the entrance of Boston harbor was confided to the trustworthy officer Davenport. In conformity to custom, a day of fasting and prayer was appointed. In that age, which was an age of religious faith, every person but the sick was required to attend public worship; the mother took with her the nursling whom she could not leave. To appoint a day of fasting on a special occasion, was to call together, in their respective assemblies, every individual of the colony, and to direct the attention of them all at one and the same time to a single subject, under the sanction of the invisible presence of God. No mode of diffusing intelligence could equal this, which reached every one's ear.

In July, the fleet, equipped for the reduction of the Dutch settlements on the Hudson, arrived at Boston, bearing commissioners nominated by the Duke of York hostile to colonial liberties. "The main end and drift" of their appointment was to gain "a good footing and foundation for a further advance" of English power, by leading the people to submit to alterations in their charter; especially to yield up to the king the nomination or approbation of the governor, and the chief command of the militia. This instruction was secret; but it was known that they were charged to investigate the manner in which the charters of

New England had been exercised, "with full authority to provide for the peace of the country, according to the royal instructions and their own discretion." No exertion of power was immediately attempted; but the people of Massachusetts descried the approach of tyranny, and their general court assembled to meet the danger.

It was agreed to levy two hundred men for the expected war against the Dutch; and this was done, although no requisition for their services had been made. But the commission was considered a flagrant violation of chartered rights. In regard to the obedience due to a government, the inhabitants of Massachusetts distinguished between natural obedience and voluntary subjection. The child born on the soil of England is necessarily an English subject; but they held to the original right of expatriation, that every man may withdraw from the land of his birth, and renounce all duty of allegiance with all claim to protection. This they themselves had done. Remaining in England, they acknowledged the obligatory force of established laws; because those laws were intolerable, they had emigrated to a new world, where they could all have organized their government, as many of them originally did, on the basis of natural rights and of perfect independence.

It had seemed good to them to retain their connection with England; but this connection they held to be purely voluntary; originally and solely established, and therefore exclusively defined, by the charter, which was the instrument of that voluntary subjection, and the only existing compact connecting them with England. The right of England to the soil, under the pretence of discovery, they derided as a popish doctrine, derived from Alexander VI.; and they pleaded, as of more avail, their just occupation and their purchase from the natives.

As the establishment of a commission with discretionary powers was not specially sanctioned by their charter, they resolved to resist the orders of the king, and nullify his commission. While, therefore, the fleet was engaged <sup>1684.</sup> in reducing New York, Massachusetts, in September, <sub>Sept. 10.</sub> published an order prohibiting complaints to the

commissioners; and, preparing a remonstrance, not against deeds of tyranny but the menace of tyranny, not against actual wrong but against a principle of wrong, on the twenty-fifth of October it thus addressed King <sup>1662.</sup> Oct. 25. Charles II.:

“ DREAD SOVEREIGN,— The first undertakers of this plantation did obtain a patent, wherein is granted full and absolute power of governing all the people of this place, by men chosen from among themselves, and according to such laws as they should see meet to establish. A royal donation, under the great seal, is the greatest security that may be had in human affairs. Under the encouragement and security of the royal charter, this people did, at their own charges, transport themselves, their wives and families, over the ocean, purchase the land of the natives, and plant this colony, with great labor, hazards, cost, and difficulties; for a long time wrestling with the wants of a wilderness and the burdens of a new plantation; having also now above thirty years enjoyed the privilege of GOVERNMENT WITHIN THEMSELVES, as their undoubted right in the sight of God and man. To be governed by rulers of our own choosing and lawes of our own, is the fundamental privilege of our patent.

“ A commission under the great seal, wherein four persons (one of them our professed enemy) are impowered to receive and determine all complaints and appeals according to their discretion, subjects us to the arbitrary power of strangers, and will end in the subversion of our all.

“ If these things go on, your subjects here will either be forced to seeke new dwellings or sink under intolerable burdens. The vigor of all new endeavors will be enfeebled; the king himself will be a loser of the wonted benefit by customs, exported and imported from hence into England, and this hopeful plantation will in the issue be ruined.

“ If the aime should be to gratify some particular gentlemen by livings and revenues here, that will also fail, for the poverty of the people. If all the charges of the whole government by the year were put together, and then doubled or trebled, it would not be counted for one of

those gentlemen a considerable accommodation. To a coalition in this course the people will never come; and <sup>1662.</sup> Oct. 25. it will be hard to find another people that will stand under any considerable burden in this country, seeing it is not a country where men can subsist without hard labor and great frugality.

“God knows, our greatest ambition is to live a quiet life, in a corner of the world. We came not into this wildernes to seek great things to ourselves; and, if any come after us to seeke them heere, they will be disappointed. We keep ourselves within our line; a just dependence upon, and subjection to, your majestie, according to our charter, it is far from our hearts to disacknowledge. We would gladly do any thing within our power to purchase the continuance of your favorable aspect. But it is a great unhapiness to have no testimony of our loyalty offered but this, to yield up our liberties, which are far dearer to us than our lives, and which we have willingly ventured our lives, and passed through many deaths to obtain.

“It was Job’s excellency, when he sat as king among his people, that he was a father to the poor. A poor people, destitute of outward favor, wealth, and power, now cry unto their lord the king. May your majestie regard their cause, and maintain their right; it will stand among the marks of lasting honor to after generations.”

The spirit of the people corresponded with this address. Did any appear to pay court to the commissioners, they became objects of derision. Even the writing to the king and chancellor was not held to be a duty; the compact by the charter required only the payment to the king of one fifth of all gold and silver ore; this was an obligation; any notice of the king beyond this was only by way of civility. It was also hoped to weary the English government by a tedious correspondence, which might be continued till the new revolution, of which they foreboded the approach in England. It is sometimes difficult to distinguish the instinct of fanaticism from the soundest judgment; fanaticism is sometimes of the keenest sagacity. There were many in New England who confidently expected a revival of liberty

after the restoration, and what was called “the slaying of the witnesses.” “Who knows,” it was asked, “what the event of this Dutch war will be?” The establishment of arbitrary power would bring in its train arbitrary taxation for the advantage of greedy courtiers. A report was spread that Massachusetts was to yield a revenue of five thousand pounds yearly for the king. Public meetings of the people were held; the brave and liberal Hawthorne, at the head of a company of train-bands, made a speech which royalists deemed “seditious;” and the inflexible Endecott, of whom Charles II. had written to the colony as of a person not well affected, just as the last sands of life were running out, addressed the people at their meeting-house in Boston. The aged Davenport was equally unbending. “The commission,” said he from New Haven, “is but a tryal of our courage; the Lord will be with his people while they are with him. If you consent to this court of appeals, you pluck down with your own hands the house which wisdom has built for you and your posterity.”

In the elections in the spring of 1665, the people 1665. sustained their government. Richard Bellingham, late deputy governor, the unbending, faithful old man, skilled from his youth in English law, perhaps the draughtsman of the charter, certainly familiar with it from its beginning, was chosen to succeed Endecott. Meantime, letters of entreaty had been sent to Robert Boyle and the Earl of Manchester; for, from the days of Southampton and Sandys, of Warwick and Say, to those of Burke and Chatham, America was not destitute of friends in England. But none of them would perceive the reasonableness of complaining against an abstract principle. “We are all amazed,” wrote Clarendon, who, says Robert Boyle, was no enemy to Massachusetts; “you demand a revocation of the commission, without charging the commissioners with the least matter of crymes or exorbitances.” Boyle echoed the astonishment: “The commissioners are not accused of one harmful thing, even in your private letters.” The statesmen of that day in Massachusetts understood the doctrine of liberty better than the chancellor of England. A century later, and

there were none in England who did not esteem the commission an unconstitutional usurpation.

1664. To Connecticut, the controversy of Massachusetts with the commissioners was fraught with benefits. It facilitated the union of the two colonies of Hartford and New Haven; and, as the commissioners were desirous to make friends in the other colonies, they avoided all angry collisions, gave no countenance to a claim advanced by the Duke of Hamilton to a large tract of territory in the colony, and, in arranging the limits of New York, though the charter of Clarendon's son-in-law extended to the river Connecticut, they established the boundary, on the main, in conformity with the claims of Connecticut itself. Long Island went to the Duke of York. Satisfied with the harmony which they had secured by attempting nothing but for the interests of the colony, the commissioners saw fit to praise to the monarch "the dutifulness and obedience of Connecticut," which was "set off with the more lustre by the contrary deportment of Massachusetts."

We shall soon have occasion to narrate the events in which Nicolls was engaged at New York, where he remained. <sup>1665.</sup> <sub>Feb. 15.</sub> In February, 1665, Carr, Cartwright, and Maverick, the other commissioners, returning to Massachusetts, desired that, at the next general election day, the whole male population might be assembled in Boston, to hear the message from the king. The proposal was rejected. "He that will not attend to the request," said Cartwright, "is a traitor."

The nature of the government of Rhode Island, and its habitual policy of relying on England for protection, secured to the royal agents in that province a less unfavorable reception. Plymouth, the weakest colony of all, too poor to "maintain scholars to their ministers," but in some places making use of "a guifted brother," stood firm for independence; although the commissioners, flattering the long-cherished hopes of the inhabitants, had promised them a charter, if they would but set an example of compliance, and allow the king to select their governor from among three candidates, whom they themselves should nominate.

The general assembly, after due consideration, "with many thanks to the commissioners, and great protestations of loyalty to the king," "chose to be as they were."

At the north, the conference between the two parties degenerated into an altercation. "It is insufferable," said the government of Massachusetts, "that the colony should be brought to the bar of a tribunal unknown to its charter." At length, in May, the royal commissioners asked categorically: "Do you acknowledge his majesty's commission?" The colony declined giving a direct answer, and chose rather to plead his majesty's patent.

Tired of discussion, they resolved to act, and declared their intention of holding a court to decide a cause in which the colony was cited to appear as defendant. The general court forbade the procedure. They refused to recede; the morning for the trial dawned; the parties had been summoned; the commissioners were preparing to go on with the cause, when, by order of the court, a herald stepped forth, and, having sounded the trumpet, made proclamation, in the name of the king, and by authority of the charter, that, in observance of their duty to God, to the king, and to their constituents, the general court could not suffer any to abet his majesty's honorable commissioners in their designs.

The herald sounded the trumpet in three several places, repeating his proclamation. We may smile at this ceremony; yet when had the voice of a herald proclaimed the approach of so momentous a contest? It was not merely a struggle of the general court and the commissioners, nor yet of Charles II. and Massachusetts: it was the dawning strife of the new system against the old system, of American politics against European politics.

The commissioners could only wonder that the arguments of the king, his chancellor, and his secretary, did not convince the government of Massachusetts. "Since you will misconstrue our endeavors," said they, "we shall not lose more of our labors upon you;" and so they retreated to the north. There they endeavored to inquire

into the bounds of New Hampshire and Maine, and to prepare for the restoration of proprietary claims; but Massachusetts was again equally active and fearless; its governor and council forbade the towns on the Piscataqua to meet, or in any thing to obey the commission, at their utmost peril.

<sup>1665</sup> <sup>Aug. 1.</sup> On the first of August, the general court of Massachusetts, as petitioners, thus addressed their complaints to the king: "Your poor subjects are threatened with ruin, reproached with the name of rebels, and your government, established by charter, and our privileges, are violated and undermined; some of your faithful subjects dispossessed of their lands and goods without hearing them speak in their cases; the unity of the English colonies, which is the wall and bulwark under God against the heathen, discountenanced, reproached, and undermined; our bounds and limits clipped and shortened. A just dependence upon and allegiance unto your majesty, according to the charter, we have, and do profess and practise, and have by our oaths of allegiance to your majesty confirmed; but to be placed upon the sandy foundations of a blind obedience unto that arbitrary, absolute, and unlimited power which these gentlemen would impose upon us, who in their actings have carried it not as indifferent persons towards us, this as it is contrary to your majesty's gracious expressions and the liberties of Englishmen, so we can see no reason to submit thereto."

In Maine, the temper of the people was more favorable to royalty; they preferred the immediate protection of the king to an incorporation with Massachusetts, or a subjection to the heir of Gorges; and the commissioners, setting aside the officers appointed by Massachusetts, and neglecting the pretensions of Gorges, issued commissions to persons of their selection to govern the district. There were not wanting those who, in spite of threats, openly expressed fears of "the sad contentions" that would follow, and acknowledged that their connection with Massachusetts had been favorable to their prosperity. In the country beyond the Kennebec, which had been recently granted

to the Duke of York as a province, the commissioners instituted a government in his name over the few and scattered inhabitants. When they were recalled, they retired in angry petulance, threatening the disloyal in New England with retribution and the gallows.

The frowardness of Massachusetts was visited by reproofs from the English monarch, to whom it was well known that "the people of that colony affirmed his majesty had no jurisdiction over them." It was resolved to transfer the scene of negotiations. By a royal mandate of April, 1666, Bellingham and Hawthorne were commanded, on their allegiance, to repair to England, with two or three others, whom the magistrates of Massachusetts were to appoint as their colleagues. Till the final decision of the claims of Gorges, the government of Maine was to continue as the commissioners had left it.

It belonged to the general court to execute such commands as exceeded the powers of the magistrates; it was therefore convened to consider the letter from the king. The morning of the second day was spent in prayer; six elders prayed. The next day, after a lecture, some debate was had; and petitions, proposing compliance with the king, were forwarded from Boston, Salem, Ipswich, and Newbury. "Let some regular way be propounded for the debate," said Bellingham, the governor, a man who emphatically hated a bribe. "The king's prerogative gives him power to command our appearance," said the moderate Bradstreet; "before God and men we are to obey." "You may have a trial at law," insinuated an artful royalist; "when you come to England, you may insist upon it and claim it." "We must as well consider God's displeasure as the king's," retorted Willoughby; "the interest of ourselves and of God's things, as his majesty's prerogative; for our liberties are of concernment, and to be regarded as to the preservation; for if the king may send for me now, and another to-morrow, we are a miserable people." "Prerogative is as necessary as law," rejoined the royalist, who perhaps looked to the English court as an avenue to distinction. "Prerogative is not

above law," said Hawthorne, ever the advocate of popular liberty. After much argument, obedience was refused. "We have already," such was the reply of the general court, "furnished our views in writing, so that the ablest persons among us could not declare our case more fully."

This decision of disobedience was made at a time when Louis XIV. of France, eager to grasp at the Spanish Netherlands, and united with De Witt by a treaty of partition, had, in consequence of his Dutch alliance, declared war against England. It was on this occasion that the conquest of Canada was first distinctly proposed to New England; but "a land march of four hundred miles, over rocky mountains and howling deserts," was too terrible an obstacle. Boston equipped privateers, and not without success.

At the same time, colonial loyalty did not content itself with barren professions; it sent provisions to the <sup>1666.</sup> English fleet in the West Indies; and to the navy <sub>Dec. 3.</sub> in England, a ship-load of masts; "a blessing, mighty unexpected, and but for which," adds Pepys, "we must have failed the next year."

Secure in the support of a resolute minority, the <sup>1668.</sup> Puritan commonwealth, in 1668, entered the province of Maine, and again established its authority by force of arms. Great tumults ensued; many persons, opposed to what seemed a usurpation, were punished for "irreverent speeches;" some even reproached the authorities of Massachusetts "as traitors and rebels against the king;" but the usurpers made good their ascendancy till Gorges recovered his claims by adjudication in England. From the southern limit of Massachusetts to the Kennebec, the colonial government maintained its independent jurisdiction.

The defiance of Massachusetts was not followed by immediate danger. The ministry of Clarendon was fallen, and he himself was become an exile; the board of trade, projected in 1668, never assumed the administration of colonial affairs, and had not vitality enough to last more than three or four years; profligate libertines gained the

confidence of the king's mistresses, and places in the royal cabinet. While Charles II. was dallying with women, and robbing the theatre of actresses; while the licentious Buckingham, who had succeeded in displacing Clarendon, wasted the vigor of his mind and body by indulging in every sensual pleasure "which nature could desire or wit invent;" while Louis XIV. was increasing his influence by bribing the mistress of the chief of the king's cabal,—England remained without a good government, and the colonies flourished in purity and peace. The English ministry dared not interfere with Massachusetts; it was right that the stern virtues of the ascetic republicans should intimidate the members of the profligate cabinet. The affairs of New England were often discussed; but the privy council was overawed by the moral dignity which they could not comprehend. There were great debates, in which the king took part, "in what style to write to New England." Charles himself commanded this affair more expressly, because <sup>1671</sup> <sub>May 26.</sub> "the colony was rich and strong, able to contest with all other plantations about them;" "there is fear," said the monarch, "of their breaking from all dependence on this nation." "Some of the\* council proposed a menacing letter, which those who better understood the peevish and touchy humor of that colonie were utterly against." After many days, it was concluded "that, if any, it should be <sub>June 6.</sub> only a conciliating paper at first, or civil letter; for it was understood they were a people almost upon the very brink of renouncing any dependence upon the crown." "Information of the present face of things was desired," and Cartwright, one of the commissioners, was summoned before the council, to give "a relation of that country;" but, such was the picture that he drew, the council <sub>June 21.</sub> were more intimidated than ever, so that nothing was recommended beyond "a letter of amnesty." By <sub>Aug 3.</sub> degrees, it was proposed to send a deputy to New England, under the pretext of adjusting boundaries, but "with secret instructions to inform the council of the condition of New England; and whether they were of such power as to be able to resist his majesty, and declare for themselves, as

independent of the crown." Their strength was reported to be the cause "which of late years made them refractory."

But the king was taken up by "the childish, simple, <sup>1671.</sup> and baby face" of a new favorite, and his traffic of the honor and independence of England to the king of France. The Duke of Buckingham, now in mighty favor, was revelling with a luxurious and abandoned rout; and for the moment the discussions at the council about New England were fruitless.

## CHAPTER XV.

## THE ENGLISH IN NEW ENGLAND AND THE NATIVES.

MASSACHUSETTS prospered by the neglect. "It is," said Sir Joshua Child, in his discourse on trade, "the most prejudicial plantation of Great Britain; the frugality, industry, and temperance of its people, and the happiness of their laws and institutions, promise them long life, and a wonderful increase of people, riches, and power." It enjoyed the blessings of self-government and virtual independence, and its villages were already the traveller's admiration. The acts of navigation were not regarded; no custom-house was established. With a jurisdiction which now stretched to the Kennebec, it possessed a widely extended trade; acting as the carrier for nearly all the colonies, and sending its ships into the most various climes. Vessels from Spain and Italy, from France and Holland, might be seen in Boston harbor. Commerce brought wealth to the colonists, and they employed it liberally; after the great fire in London, even the miserable in the mother country received large contributions. The town of Portsmouth agreed for seven years to give sixty pounds a year to Harvard College, which continued to afford "schismaticks to the church."

Settlements extended; prosperity was universal. Beggary was unknown; theft was rare. If "strange new fashions" prevailed among "the younger sort of women," if "superfluous ribbons" were worn on their apparel, at least "musicians by trade, and dancing-schools," were not fostered. It was still remembered that the people were led into the wilderness by Aaron, not less than by Moses; and, in spite of the increasing spirit of inquiry and toleration, it was

resolved to retain the Congregational churches "in their purest and most athletick constitution."

During this vigorous growth and uninterrupted influence, many of the patriarchs of the colony, — Endecott, the one of the original grantees who had struck the English red cross from the colors of Massachusetts, stubborn in the assertion of its charter rights; the hospitable, sincere, but persecuting Wilson; the uncompromising Davenport, who founded New Haven on a rock, and, having at first preached beneath the shade of a forest tree, now lived to behold the country full of convenient churches; the tolerant Willoughby, who had pleaded for the Baptists; the incorruptible Bellingham, precise in his manners, and rigid in his principles of independence, — these, and others, the fathers of the people, lay down in peace, closing a career of virtue in the calmness of hope, and lamenting nothing so much as that their career was finished too soon for them to witness the fulness of New England's glory.

This increase of the English portended danger; for it alarmed the race of red men, who could not change their habits, and who saw themselves deprived of their usual means of subsistence. It is difficult to form exact opinions on the population of the several colonies in this earlier period of their history; the colonial accounts are incomplete; and those which were furnished by emissaries from England are extravagantly false. No great error

will be committed, if we suppose the white population of New England, in 1675, to have been fifty-five thousand souls. Of these, Plymouth may have contained not many less than seven thousand; Connecticut, nearly fourteen thousand; Massachusetts proper, more than twenty-two thousand; and Maine, New Hampshire, and Rhode Island, each perhaps four thousand. The settlements were chiefly agricultural communities, planted near the seaside, from New Haven to Pemaquid. The beaver trade, even more than traffic in lumber and fish, had produced the villages beyond the Piscataqua; yet in Maine, as in New Hampshire, there was "a great trade in deer

beards." Most of the towns were insulated settlements near the ocean, on rivers, which were employed to drive "the saw-mills," then described as a "late invention;" and cultivation had not extended far into the interior. Haverhill, on the Merrimack, was a frontier town; from Connecticut, emigrants had ascended as far as the rich meadows of Deerfield and Northfield; but, to the west, Berkshire was a wilderness; Westfield was the remotest plantation. Between the towns on Connecticut River and the cluster of towns near Massachusetts Bay, Lancaster and Brookfield were the solitary abodes of Christians in the desert. The government of Massachusetts extended to the Kennebec, and included more than half the population of New England; the confederacy of the colonies had also been renewed, in anticipation of dangers.

The number of the Indians of that day hardly amounted to thirty thousand in all New England west of the St. Croix. Of these, perhaps about five thousand dwelt in the territory of Maine; New Hampshire may have hardly contained three thousand; and Massachusetts, with Plymouth, never from the first peopled by many Indians, seems to have had less than eight thousand. In Connecticut and Rhode Island, never depopulated by wasting sickness, the Mehegans, the Narragansetts, the Pokanokets, and kindred tribes, had multiplied their villages round the seashore, the inlets, and the larger ponds, which increased their scanty supplies by furnishing abundance of fish. Yet, of these, the exaggerated estimates melt away, when subjected to criticism. To Connecticut, rumor, in the days of the elder Winthrop, gave three or four thousand warrior Indians; and there may have been half of the larger number: the Narragansetts, like so many other tribes, boasted of their former grandeur, but they could not bring into action a thousand bowmen. Thus, therefore, west of the Piscataqua, there were probably about fifty thousand whites and hardly twenty-five thousand Indians; while, east of the same stream, there were about four thousand whites, and perhaps more than that number of red men.

\*A sincere attempt had been made to convert the natives,

and win them to the regular industry of civilized life. The ministers of the early emigration were fired with a zeal as pure as it was fervent ; they longed to redeem these “wrecks of humanity,” by planting in their hearts the seeds of conscious virtue, and gathering them into permanent villages.

No pains were spared to teach them to read and write ; and, in a short time, a larger proportion of the Massachusetts Indians could do so than recently of the inhabitants of Russia. Some of them spoke and wrote English tolerably well. Foremost among these early missionaries, the morning star of missionary enterprise, was John Eliot, whose benevolence almost amounted to the inspiration of genius. An Indian grammar was a pledge of his earnestness ; the pledge was redeemed by his preparing and publishing a translation of the whole Bible into the Massachusetts dialect. His actions, his thoughts, his desires, all wore the hues of disinterested love.

Eliot mixed with the Indians. He spoke to them of God and of the soul, and explained the virtues of self-denial. He became their lawgiver. He taught the women to spin, the men to dig the ground ; he established for them simple forms of government ; and, in spite of menaces from their priests and chieftains, he instructed them in his own religious faith, and not without success. Groups of Indians used to gather round him as round a father, and, now that their minds were awakened to reflection, often perplexed him with their questions. The philosopher and the savage alike find it difficult to solve the problem of existence. The world is divided between materialists and spiritualists. “What is a spirit ?” said the Indians of Massachusetts to their apostle. “Can the soul be enclosed in iron so that it cannot escape ?” “When Christ arose, whence came his soul ?” Every clan had some vague conceptions of immortality. “Shall I know you in heaven ?” said an inquiring red man. “Our little children have not sinned ; when they die, whither do they go ?” “When such die as never heard of Christ, where do they go ?” “Do they in heaven dwell in houses, and what do they do ?” “Do they know things

done here on earth?" The origin of moral evil has engaged the minds of the most subtle. "Why," demanded the natives on the banks of the Charles, "why did not God give all men good hearts?" "Since God is all-powerful, why did not God kill the devil, that made men so bad?" Of themselves they fell into the mazes of fixed decrees and free will. "Doth God know who shall repent and believe, and who not?" The statesman might have hesitated in his answers to some problems. The ballot-box was to them a mystery. "When you choose magistrates, how do you know who are good men, whom you dare trust?" And again: "If a man be wise, and his sachem weak, must he yet obey him?" Cases of casuistry occurred; I will cite but two, one of which, at least, cannot easily be decided. Eliot preached against polygamy. "Suppose a man, before he knew God," inquired a convert, "hath had two wives: the first childless, the second bearing him many sweet children, whom he exceedingly loves; which of these two wives is he to put away?" And the question which Kotzebue proposed in a fiction, that has found its way across the globe, was in real life put to the pure-minded Eliot, among the wigwams of Nonantum. "Suppose a squaw desert and flee from her husband, and live with another distant Indian, till, hearing the word, she repents, and desires to come again to her husband, who remains still unmarried: shall the husband, upon her repentance, receive her again?" The poet of civilization tells us that happiness is the end of our being. "How shall I find happiness?" demanded the savage. And Eliot was never tired by this importunity or by the hereditary idleness of the race; and his simplicity of life and manners won for him all hearts, whether in the villages of the emigrants or "the smoaky cells" of the natives.

In the islands round Massachusetts, and within the limits of the Plymouth patent, "that young New England scholar," the gentle Mayhew, forgetting the pride of learning, endeavored to convert the natives. At a later day, he took passage for England to awaken interest in his mission; and the ship in which he sailed was never more heard of. But, such had been the force of his example, that his father,

though bowed down by the weight of seventy years, assumed the office of the son whom he had lost, and, till beyond the age of fourscore years and twelve, continued to instruct the natives of the isles, and with the happiest results. The Indians within his influence, though twenty times more numerous than the whites in their immediate neighborhood, preserved an immutable friendship with Massachusetts.

Thus churches of "praying Indians" were gathered; at Cambridge, an Indian became a bachelor of arts. Yet Christianity hardly spread beyond the Indians on Cape Cod, Martha's Vineyard, and Nantucket, and the seven feeble villages round Boston. The Narragansetts, hemmed in between Connecticut and Plymouth, restless and jealous, retained their old belief; and Philip of Pokanoket, at the head of seven hundred warriors, professed with pride the faith of his fathers.

But he, and the tribes that owned his influence, were now shut in by the gathering plantations of the English, and were the first to forebode the danger of extermination. True, the inhabitants of New England had never, except in the territory of the Pequods, taken possession of a foot of land without first obtaining a title from the Indians. But the unlettered savage, who repented the alienation of vast tracts by affixing a shapeless mark to a bond, might deem the English tenure defeasible. Again, by repeated treaties, the red man had acknowledged the jurisdiction of the English, who claimed a guardianship over him, and really endeavored in their courts, with scrupulous justice, and even with favor, to protect him from fraud, and to avenge his wrongs. But the wild inhabitants of the woods or the seashore could not understand the duty of allegiance to an unknown sovereign, or acknowledge the binding force of a political compact; crowded by hated neighbors, losing fields and hunting-grounds, and frequently summoned to Boston or Plymouth, to reply to an accusation or to explain their purposes, they sighed for the forest freedom, which was to them more dear than constitutional liberties to the civilized, and which had been handed down to them from immemorial ages.

The clans, within the limits of the denser settlements of the English, especially the Indian villages round Boston, were broken-spirited from the overwhelming force of the English. In their rude blending of new instructions with their ancient superstitions, in their feeble imitations of the manners of civilization, in their appeals to the charities of Europeans, they had quenched the fierce spirit of savage independence. They loved the crumbs from the white man's table.

But the Pokanokets had always rejected the Christian faith and Christian manners; and Massassoit had desired to insert in a treaty, what the Puritans never permitted, that the English should never attempt to convert the warriors of his tribe from the religion of their race. The aged Massassoit—he who had welcomed the pilgrims to the soil of New England, and had opened his cabin to shelter the founder of Rhode Island—now slept with his fathers; and Philip, his son, had succeeded him as chief over allied tribes. Repeated sales of land had narrowed their domains; and the English had artfully crowded them into the tongues of land, as “most suitable and convenient for them.” and as more easily watched. The two chief seats of the Pokanokets were the peninsulas which we now call Bristol and Tiverton. As the English villages drew nearer and nearer to them, their hunting-grounds were put under culture, their natural parks were turned into pastures, their best fields for planting corn were gradually alienated, their fisheries were impaired by more skilful methods, till they found themselves deprived of their broad acres, and by their own legal contracts driven, as it were, into the sea.

Collisions and mutual distrust were the necessary consequence. I can find no evidence of a deliberate conspiracy on the part of all the tribes. The commencement of war was accidental; many of the Indians were in a maze, not knowing what to do, and ready to stand for the English; sure proof of no ripened conspiracy. But to many tribes there were common griefs; they had the same recollections and the same fears; and, when they met, could not but

complain of their common forfeiture of the domains of their fathers. They spurned the English claim of jurisdiction, and were indignant that Indian chiefs or warriors should be arraigned before a jury. And when the expressions of common passion were repeated by an Indian talebearer, fear magnified the plans of the tribes into an organized scheme of resistance.

The haughty chieftain, who had once before been compelled to surrender his "English arms," and pay 1674. an onerous tribute, was summoned to submit to an examination, and could not escape suspicion. The wrath of his tribe was roused, and the informer was murdered. The murderers in their turn were identified, seized, tried by a jury, of which one half 1675. June were Indians, and, on conviction, were hanged. The young men of the tribe panted for revenge; without June 24. delay, eight or nine of the English were slain in or about Swansey; and the alarm of war spread through the colonies.

Thus was Philip hurried into "his rebellion;" and he is reported to have wept as he heard that a white man's blood had been shed. He had kept his men about him in arms, and had welcomed every stranger; and yet, against his judgment and his will, he was involved in war. For what prospect had he of success? The English were united; the Indians had no alliance: the English made a common cause; half the Indians were allies of the English, or were quiet spectators of the fight: the English had guns enough; but few of the Indians were well armed, and they could get no new supplies: the English had towns for their shelter and safe retreat; the miserable wigwams of the natives were defenceless: the English had sure supplies of food; the Indians might easily lose their precarious stores. Frenzy prompted their rising. They rose without hope, and they fought without mercy. For them as a nation, there was no to-morrow.

The minds of the English were appalled by the horrors of the impending conflict, and superstition indulged in its wild inventions. At the time of the eclipse of the moon,

you might have seen the figure of an Indian scalp imprinted on the centre of its disk. The perfect form of an Indian bow appeared in the sky. The sighing of the wind was like the whistling of bullets. Some heard invisible troops of horses gallop through the air, while others found the prophecy of calamities in the howling of the wolves.

At the very beginning of danger, the colonists exerted their wonted energy. Volunteers from Massachusetts joined the troops from Plymouth; and, within a week from the commencement of hostilities, the insulated Pokanokets were driven from Mount Hope, and in <sup>1675</sup> <sub>June 29.</sub> less than a month Philip was a fugitive among the Nipmucks, the interior tribes of Massachusetts. The little army of the colonists then entered the territory of the Narragansetts, and from the reluctant tribe extorted a treaty of neutrality, with a promise to deliver up every hostile Indian. Victory seemed promptly assured. But it was only the commencement of horrors. Canonchet, the chief sachem of the Narragansetts, was the son of Miantonomoh; and could he forget his father's wrongs? Desolation extended along the whole frontier. Banished from his patrimony, where the pilgrims found a friend, and from his cabin, which had sheltered the exiles, Philip, with his warriors, spread through the country, awakening their brethren to a warfare of extermination.

The war, on the part of the Indians, was one of ambuscades and surprises. They never once met the English in open field; but always, even if eightfold in numbers, fled timorously before infantry. They were secret as beasts of prey, skilful marksmen, and in part provided with firearms, fleet of foot, conversant with all the paths of the forest, patient of fatigue, and mad with a passion for rapine, vengeance, and destruction, retreating into swamps for their fastnesses, or hiding in the greenwood thickets, where the leaves muffled the eyes of the pursuer. By the rapidity of their descent, they seemed omnipresent among the scattered villages, which they ravaged like a passing storm; and for a full year they kept all New England in a state of

terror and excitement. The exploring party was waylaid and cut off, and the mangled carcasses and disjointed limbs of the dead were hung upon the trees. The laborer in the field, the reapers as they sallied forth to the harvest, men as they went to mill, the shepherd's boy among the sheep, were shot down by skulking foes, whose approach was invisible. Who can tell the heavy hours of woman? The mother, if left alone in the house, feared the tomahawk for herself and children; on the sudden attack, the husband would fly with one child, the wife with another, and, perhaps, one only escape; the village cavalcade, making its way to meeting on Sunday, in files on horseback, the farmer holding the bridle in one hand and a child in the other, his wife seated on a pillion behind him, it may be with a child in her lap, as was the fashion in those days, could not proceed safely; but, at the moment when least expected, bullets would whiz amongst them, sent from an unseen enemy by the wayside. The forest, that protected the ambush of the Indians, secured their retreat.

What need of repeating the same tale of horrors? Brookfield, a settlement of less than twenty families, the only one in the wilderness between Lancaster and Hadley, was besieged and set on fire, and most gallantly rescued

<sup>1675.</sup> <sub>Aug. 2.</sub> by Simon Willard, now seventy years old, and res-

<sub>Sept. 1.</sub> cued only to be abandoned; Deerfield was burnt.

Hadley, surprised during a time of religious service, was saved by Goffe, the regicide, now bowed with years, a heavenly messenger, who darted from his hiding-place, rallied the disheartened, and, having achieved a safe defencée, sunk

<sub>Sept.</sub> away into his retirement, to be no more seen. The plains of Northfield were wet with the blood of

Beers, and twenty of his valiant associates. As Lathrop's company of young men, all "culled" out of the towns of Essex county, were conveying the harvests

<sub>Sept. 18.</sub> of Deerfield to the lower towns, they were suddenly surrounded by a horde of Indians; and, as each party fought from behind trees, the victory was with the far more numerous savages. Hardly a white man escaped; the little stream that winds through the tranquil scene, by its name

of blood, commemorates the massacre of that day. For ten weeks of the autumn, the commissioners of the united colonies, which were now but three in number, were almost constantly in session. With one voice they voted that the war was a just and necessary war of defence, to be jointly prosecuted by all the united colonies at their common charge. They directed that a thousand soldiers should be raised, of whom one half should be troopers with long arms. Of the whole number, the quota of Massachusetts was five hundred and twenty-seven; of Plymouth, one hundred and fifty-eight; of Connecticut, three hundred and fifteen. But the war still raged. In October, Springfield was burnt, and Hadley once more assaulted. The remoter villages were deserted; the pleasant residences, that had been won by hard toil in the desert, the stations of civilization in the wilderness, were laid waste.

But the English were not the only sufferers. In winter, it was the custom of the natives to dwell together in their wigwams; in spring, they would be dispersed through the woods. In winter, the warriors who had spread misery through the west, were sheltered among the Narragansetts: in spring, they would renew their devastations. In winter, the absence of foliage made the forests less dangerous; in spring, every bush would be a hiding-place. It was resolved to regard the Narragansetts as enemies; and, just before the winter solstice, a second levy of a thousand men, raised by order of the united colonies, and commanded by the brave Josiah Winslow, a native of New England, invaded their territory. After a night spent in the open air, they waded through the snow from daybreak till an hour after noon; and at last reached the cluster of the wigwams of their savage enemies within the limits of the present town of South Kingston. The village, built on about six acres of land which rose out of a swamp, was protected in its entire circumference by thickly set palisades, to which the approach was defended by a block-house. Without waiting to take food or rest, the New Englanders began the attack. Davenport, Gardner,

Johnson, Gallop, Siely, Marshall, led their companies through the narrow entrance in the face of death, and left their lives as a testimony to their patriotism and courage. But the palisades, strong as they were, could not check the determined valor of the assailing party. Within the enclosure, the battle raged hand to hand, till seventy of the New Englanders were killed and twice that number wounded ; nor was it decided till the group of Indian cabins was set on fire. Thus were swept away the winter's stores of the tribe, their curiously wrought baskets, full of corn, their famous strings of wampum, their wigwams nicely lined with mats,—all the little comforts of savage life. Old men, women, and babes perished in the flames. How many of their warriors fell was never known. The English troops, after the engagement, bearing with them their wounded, retraced their steps, by night, through a snow-storm, to Wickford.

The spirit of Canonchet did not droop under the disasters of his tribe. "We will fight to the last man," said the gallant chieftain, "rather than become servants to the <sup>1675.</sup> English." Taken prisoner near the Blackstone, a <sup>April.</sup> young man began to question him. "Child," replied he, "you do not understand war ; I will answer your chief." His life was offered him, if he would procure a treaty of peace ; he refused the offer with disdain. "I know," added he, "the Indians will not yield." Condemned to death, he only answered : "I like it well ; I shall die before I speak any thing unworthy of myself."

Meantime, the Indian warriors were not idle. "We will fight," said they, "these twenty years ; you have houses, barns, and corn ; we have now nothing to lose ;" and one town in Massachusetts after another, Lancaster, Medfield, Weymouth, Groton, Marlborough, were laid in ashes.

Nowhere was there more distress than at Lancaster. Forty-two persons sought shelter under the roof of Mary Rowlandson ; and, after a hot assault, the Indians succeeded in setting the house on fire. Will the mothers of the United States, happy in the midst of unexampled prosperity, know the sorrows of woman in a former generation ?

“Quickly,” writes Mary Rowlandson, “it was the dolefullest day that ever mine eyes saw. Now the dreadful hour is come. Some in our house were fighting for their lives, others wallowing in blood; the house on fire over our heads, and the bloody heathen ready to knock us on the head, if we stirred out. I took my children to go forth; but the Indians shot so thick that the bullets rattled against the house, as if one had thrown a handful of stones. We had six stout dogs, but none of them would stir. . . . The bullets flying thick, one went through my side, and through my poor child in my arms.” The brutalities of an Indian massacre followed; “there remained nothing to me,” she continues, now in captivity, “but one poor wounded babe. Down I must sit in the snow, with my sick child, the picture of death, in my lap. Not the least crumb of refreshing came within either of our mouths from Wednesday night to Saturday night, except only a little cold water. . . . One Indian, and then a second, and then a third, would come and tell me, Your master will quickly knock your child on the head. This was the comfort I had from them: miserable comforters were they all.”

Nor were such scenes of ruin confined to Massachusetts. At the south, the Narragansett country was deserted by the English; Warwick was burnt; Providence was attacked and set on fire. There was no security but to seek out the hiding-places of the natives, and destroy them by surprise. On the banks of the Connecticut, just above the falls that take their name from the gallant Turner, was an encampment of large bodies of hostile Indians; a band of one hundred and fifty volunteers, from among the yeomanry of Springfield, Hadley, Hatfield, and Northampton, led by Turner and Holyoke, making a silent march in the dead of night, came at daybreak upon the wigwams. <sup>1675</sup> <sup>May 19.</sup> The Indians are taken by surprise; some are shot down in their cabins; others rush to the river, and are drowned; others push from shore in their birchen canoes, and are hurried down the cataract.

As the season advanced, the Indians abandoned every hope. Their forces were wasted; they had no fields that

they could plant. Such continued warfare without a respite was against their usages. They began, as the unsuccessful and unhappy so often do, to quarrel among themselves; recriminations ensued; those of Connecticut charged their sufferings upon Philip; and his allies became suppliants for peace. Some surrendered to escape starvation. In the progress of the year, between two and three thousand Indians were killed or submitted. Church, the most famous partisan warrior, went out to hunt down parties of fugitives. Some of the tribes wandered away to the north, and were blended with tribes of Canada. Philip himself was chased from one hiding-place to another. He had vainly sought to engage the Mohawks in the contest; now that hope was at an end, he still refused to hear of peace, and struck dead the warrior who proposed it. At length, after a year's absence, he resolved, as it were, to meet his destiny; and

<sup>1675</sup> Aug 3 returned to the beautiful land which held the graves of his forefathers, and had been his home. Once he escaped narrowly, leaving his wife and only son as prisoners. "My heart breaks," cried the tattooed chieftain, in the agony of his grief; "now I am ready to die." His own followers began to plot against him, to make better terms for themselves, and in a few days he was shot by a faithless Indian. His captive child was sold as a slave in Bermuda. Of the Narragansetts, once the chief tribe of New England, hardly one hundred men survived.

During the war, the Mohegans remained faithful to the English; and not a drop of blood was shed on the happy soil of Connecticut. So much the greater was the loss in the adjacent colonies. Twelve or thirteen towns were destroyed; the disbursements and losses equalled in value half a million of dollars, an enormous sum for the few of that day. More than six hundred men, chiefly young men, the flower of the country, perished in the field. As many as six hundred houses were burnt. Of the able-bodied men in the colony, one in twenty had fallen; and one family in twenty had been burnt out.

Let us not forget a good deed of the generous Irish; they sent over a contribution, small, it is true, to relieve in part

the distresses of Plymouth colony. Connecticut, which had contributed soldiers to the war, furnished the houseless with more than a thousand bushels of corn. "God will remember and reward that pleasant fruit." Boston did the like, for "the grace of Christ always made Boston exemplary" in works of that nature.

The eastern hostilities with the Indians had a different origin, and were of longer continuance. The news of the rising of the Pokanokets was, indeed, the signal for the commencement of devastations; and, within a few weeks, a border warfare extended over nearly three hundred miles. Sailors had committed outrages, and the Indians avenged the crimes of a corrupt ship's crew on the villages. There was no general rising of the Abenakis, or eastern tribes, no gatherings of large bodies of men. Of the English settlements, nearly one half were destroyed in detail; the inhabitants were either driven away, killed, or carried into captivity; for covetousness sometimes provoked to mercy, by exciting the hope of a ransom.

The escape of ANNE BRACKETT, grand-daughter of George Cleeves, the first settler of Portland, was the marvel of that day. Her family had been taken captive at <sup>1676.</sup> Aug. 11. the sack of Falmouth. When her captors hastened forward to further ravages on the Kennebec, she was able to loiter behind; with needle and thread from a deserted house, she repaired the wreck of a birchen bark; then, with her husband, a negro servant, and her infant child, she trusted herself to the sea in the patched canoe, which had neither sail nor mast, and was like a feather on the waves. She crossed Casco Bay, and, arriving at Black Point, where she feared to encounter Indians, and at best could only have hoped to find a solitude, how great was her joy, as she discovered a vessel from Piscataqua, that had just sought anchorage in the harbor!

The surrender of Acadia to the French had rendered the struggle more arduous; for the eastern Indians obtained supplies of arms from the French on the Penobscot. To defeat the savage enemy effectually, the Mohawks were invited to engage in the war; a few of them

took up the hatchet: but distance rendered co-operation impossible. After several fruitless attempts at <sup>1678</sup> treaties, peace was finally established by Edmund Apr. 12. Andros as the Duke of York's governor of his province beyond the Kennebec. The terms seemed to acknowledge the superiority of the Indians: on their part, the restoration of prisoners and the security of English towns were stipulated; in return, the English were to pay annually, as a quit-rent, a peck of corn for every English family.

## CHAPTER XVI.

## THE OVERTHROW OF THE CHARTER OF MASSACHUSETTS.

To protect the Catholic religion and establish the absolute power of the crown were the objects pursued by Charles II., from the time of his accession to the <sup>1676.</sup> throne. The corresponding movements against the liberties of the colonies were marked by the same occasional hesitation and the same underlying consistency as those against the rights of English corporations and the English parliament. For fifteen or sixteen years after the restoration, there was no officer of the customs in the colony, except the governor, annually elected by the people; and during all that time he had never taken the oath which the navigation act of 1660 required, so that the acts of trade were but little regarded. During the disastrous Indian War, New England had protected itself from its own resources; jealous of independence, it never applied to the parent country for assistance. "You are poor," said the Earl of Anglesey, "and yet proud." The English ministry, contributing nothing to repair colonial losses, made no secret of its intention to "reassume the government of Massachusetts into its own hands," and while the ground was still wet with the blood of her yeomanry, the ruins of her villages were still smoking, and the Indian war-cry was yet ringing in the forests of Maine, the committee of the privy council for plantations "did agree that this was the conjuncture to do something effectual for the better regulation of that government, or else all hopes of it might be hereafter lost." In selecting an agent to make inquiries preliminary to decisive action, the choice fell upon Edmund Randolph, who at the same time was intrusted by Robert

Mason with the care of his claims to New Hampshire. It was on the tenth of June, 1676, that the messenger arrived in Boston, menacing at once the territorial extension, the trade, and the charter of Massachusetts.

The emissary on his arrival waited immediately on Leverett the governor, and demanded that the letter which he bore from the king should with convenient speed be read to the magistrates. The governor received him with coldness, avowed ignorance of the officer whose signature as secretary of state was affixed to the letter, and denied the right of the king or of parliament to bind the colony by laws adverse to its interests. To complaints of the total neglect of the act of navigation, the honest Leverett answered: "The king can in reason do no less than let us enjoy our liberties and trade, for we have made this large plantation in the wilderness at our own charge, without any contribution from the crown."

Randolph, who was received only as the agent for Mason, belonged to that class of hungry adventurers with whom America ultimately became so familiar. Now, on his return to England, after a residence of but six weeks in the New World, he exaggerated the population of the country four-fold, and its wealth in a still greater proportion, that he might encourage the avarice of his patrons in the court of Charles II. On his false reports, the English ministry grew more zealous to employ him; and, in the course of nine years, he made eight voyages to America.

The colony, reluctantly yielding to the direct commands of Charles II., resolved to send William Stoughton and Peter Bulkeley as its envoys to England; but, agreeably to the advice of the elders, circumscribed their powers "with the utmost care and caution." The oath of fidelity to the country was revived throughout the jurisdiction.

In a memorial respecting the extent of their territory, the general court represented their peculiar unhappiness, to be required, at one and the same time, to maintain before courts of law a title to the provinces, and to dispute with a savage foe the possession of dismal deserts. Remon-

strance was of no avail. In 1677, a committee of the 1677. privy council, which examined all the charters, refused to decide on the claims of the resident settlers to the land which they occupied, but denied to Massachusetts the right of jurisdiction over Maine and New Hampshire. The decision was so manifestly in conformity with English law that the colonial agents attempted no serious defence.

These provinces being thus severed from the government of Massachusetts, King Charles was willing to secure them as an appanage for his reputed son, the kind-hearted, worthless Duke of Monmouth, the Absalom of that day, whose weakness was involved in a dishonest opposition to his father, and whom frivolous ambition at last conducted to the scaffold. It was thought that the united provinces would furnish a noble principality, with an immediate and increasing revenue. But before the monarch, whom extravagance had impoverished, could resolve on a negotiation, Massachusetts, through the agency of a Boston merchant, obtained possession of the claims of Gorges, by a purchase and regular assignment. The price paid May 6. was twelve hundred and fifty pounds, about six thousand dollars.

It was never doubted that a proprietary could alienate the soil; it was subsequently questioned whether the rights of government could be made a subject of traffic. The assignment was the cause of a series of relations, which, in part, continue to the present day. In a pecuniary point of view, no transaction could have been for Massachusetts more injurious; for it constituted her a frontier state, and gave her the most extensive and most dangerous frontier to defend. But she did not, at this time, come into possession of the whole territory which now forms the state of Maine. France, under the treaty of Breda, claimed and occupied the district from the St. Croix to the Penobscot, and regarded the Kennebec as the line of separation between its colonies and those of England; the Duke of York held the tract between the Penobscot and the Kennebec, pretending indeed to own the whole tract between the Kennebec and the St. Croix; while Massachusetts, as the successor to

Gorges, was proprietary only of the district between the Kennebec and the Piscataqua.

A novel form of political institution ensued. Massachusetts, in its corporate capacity, was become the lord proprietary of Maine; the republic on the banks of the Charles was the feudal sovereign of this eastern lordship. Maine had thus far been represented in the Massachusetts house of representatives; in obedience to an ordinance of the general court, the governor and assistants of Massachusetts proceeded to organize its government as a province, according to the charter to Gorges. The president and council were appointed by the magistrates of Massachusetts; at the same time, a popular legislative branch was established, composed of deputies from the several towns in the district. Danforth, who was selected to be the first president, was a man of superior worth; yet the pride of the province was offended by its subordination; the old religious differences had not lost their influence; and royalists and churchmen prayed for the interposition of the king. Massachusetts was compelled to employ force to assert its sovereignty, which, nevertheless, was exercised with moderation and justice.

The change of government in New Hampshire was  
1675. less quietly effected. On the first apprehension that the claim of Mason would be revived, the infant people, in their town-meetings, expressed their content with the government of Massachusetts. But the popular wish availed little in the decision of a question of law; the patent of Mason was found on investigation to confer no jurisdiction; the unappropriated lands were allowed to belong to him; but the rights of the settlers to the soil which they actually occupied were reserved for litigation in colonial courts. New Hampshire was separated from Massachusetts, and organized as a royal province. It was the earliest royal government in New England. The king, reserving a negative voice to himself and his officers, engaged to continue the privilege of an assembly, unless he or his heirs should deem that privilege "an inconvenience." The persons he first named

<sup>1679.</sup> July 24. <sup>1677.</sup> <sup>1679.</sup> <sup>1679.</sup>

to the offices of president and council were residents of the colony, and friends to the colonists; but, perceiving that their appointment had no other object than to render the transition to a new form of government less intolerable, they accepted office reluctantly.

At length, a general assembly was convened at <sup>1680.</sup> Portsmouth. Its letter to Massachusetts is a testimony of its gratitude. <sup>Mar. 16.</sup> "We acknowledge your care for us," it was thus that the feeble colony addressed its more powerful neighbor: "we thankfully acknowledge your kindness while we dwelt under shadow, owning ourselves deeply obliged that, on our earnest request, you took us under your government, and ruled us well. If there be opportunity for us to be any wise serviceable to you, we shall show how ready we are to embrace it. Wishing the presence of God to be with you, we crave the benefit of your prayers on us, who are separated from our brethren."

The colony then proceeded to assert its rights by a solemn decree, the first in its new code: "No act, imposition, law, or ordinance shall be valid, unless made by the assembly and approved by the people." Thus did New Hampshire seize the earliest moment of its separate existence to express the great principle of self-government, and take its place by the side of Massachusetts and Virginia. When its code was transmitted to England, it was disapproved both for style and matter; and its provisions were rejected as incongruous and absurd.

Nor was Mason successful in establishing his claims to the soil. The colonial government protected the colonists, and restrained his exactions. Hastening to England to solicit a change, the pretended proprietary was allowed to make such arrangement as promised auspicious results to his own interests. Mason, himself a party in suits to be commenced, was authorized to select the person to be appointed governor. He found a fit agent in Edward Cranfield, a man who had no object in banishing himself to the wilds of America but to wrest a fortune from the sawyers and lumber-dealers of New Hampshire. By a deed en- <sup>1682.</sup> <sub>Jan. 25.</sub> rolled in chancery, Mason surrendered to the king

one fifth part of all quit-rents for the support of the governor, to whom he gave a mortgage of the whole province for twenty-one years, as collateral security for the payment of his salary. With the further exclusive right to the anticipated harvest of fines and forfeitures, Cranfield deemed his fortune secure, and, relinquishing a profitable employment in England, embarked for the banks of the Piscataqua.

<sup>1682.</sup> But the first assembly which he convened dispelled <sup>Nov. 14.</sup> his golden visions. The "rugged" legislators voted him a gratuity of two hundred and fifty pounds, which the <sup>1683.</sup> needy adventurer greedily accepted; but they would <sup>Jan. 20.</sup> not yield their liberties; and in anger he dissolved them. The dissolution of an assembly was, in New England, till then unheard of. Popular discontent became extreme; and a crowd of rash men raised the cry for "liberty and reformation." The leader, Edward Gove, an unlettered enthusiast, was confined in irons, condemned to the death that barbarous laws denounced against treason, and, having been transported to England, was for three years kept a prisoner in the Tower of London. The lawsuits about land were multiplied. Packed juries and partial judges settled questions rapidly; but Mason derived no benefit from the decision in his favor, for he could neither get possession of the estates nor find a purchaser.

Meantime, Cranfield, with a subservient council, began to exercise powers of legislation; and he still hoped to amass a fortune by taxes and arbitrary fees of office. Did the towns privately send an agent to England, he would tolerate no complaints; and Vaughan, who had been active in obtaining depositions, was required to find securities for good behavior. He refused, declaring that he had broken no law; and the governor immediately imprisoned him.

<sup>1684.</sup> Cranfield still longed for money; stooping to falsehood, and hastily calling an assembly, on a vague <sup>Jan. 14.</sup> rumor of an invasion, he demanded a sudden supply of the means of defence. The representatives of New Hampshire took time to consider; and, after debate, they negatived the bill which the governor had prepared.

To intimidate the clergy, he forbade the usual exercise of

church discipline. In Portsmouth, Moody, the minister, replied to his threats by a sermon, and the church was inflexible. Cranfield next invoked the ecclesiastical laws of England, which he asserted were in force in the colony. The people were ordered to keep Christmas as a festival, and to fast on the thirtieth of January. But the capital stroke of policy was an order that all persons should be admitted to the Lord's Supper as freely as in the Episcopal or Lutheran Church, and that the English liturgy should in certain cases be adopted. The order was disregarded. The governor himself appointed a day, on which he claimed to receive the elements at the hands of Moody, after the forms of the English church. Moody refused; was prosecuted, condemned, and imprisoned. Religious worship was almost entirely broken up. But the people did not yield; and Cranfield, vexed at the stubbornness of the clergy, gave information in England that, "while the clergy were allowed to preach, no true allegiance could be found." It had long been evident "there could be no quiet till the factious preachers were turned out of the province."

One more attempt was made to impose taxes by the vote of the subservient council. That the people might willingly pay them, a rumor of a war with the eastern Indians was spread abroad; and Cranfield made a visit to New York, under pretence of concerting measures with the governor of that province. The English ministry was informed that his majesty's service required the presence of a ship-of-war. The committee of plantations had been warned that, "without some visible force to keep the people of New Hampshire under, it would be a difficult or impossible thing to execute his majesty's commands or the laws of trade." But the yeomanry were not terrified; illegal taxes could not be gathered; associations were formed for mutual support in resisting their collection. At Exeter, the sheriff was driven off with clubs, and the farmers' wives had prepared hot water to scald his officer, if he had attempted to attach property in the house. At Hampton, he was beaten, robbed of his sword, seated upon a horse, with a rope round

his neck, and conveyed out of the province. If rioters were committed, they were rescued by a new riot; if the troop of horse of the militia were ordered out, not a man obeyed the summons.

Cranfield, in despair, wrote imploringly to the government in England: "I shall esteem it the greatest happiness in the world to be allowed to remove from these unreasonable people. They cavil at the royal commission, and not at my person. No one will be accepted by them, who puts the king's commands in execution." His conduct met with approbation; he was allowed to withdraw from the province; but the government in England had no design of ameliorating the political condition of the colonists. The character of New Hampshire, as displayed in this struggle for freedom, remained unchanged. It was ever esteemed in England "factious in its economy, affording no exemplary precedents" to the friends of arbitrary power.

Massachusetts might, perhaps, still have defied the king, and escaped or overawed the privy council; but the merchants and manufacturers of England, fearing the colony as their rival, discerned how their monopoly might be sustained, and pressed steadily towards their object. Their complaints had been received with favor; their selfish reasoning was heard with a willingness to be convinced; and English statesmen esteemed Massachusetts without excuse.

The agents of Massachusetts had brought with them  
1676. no sufficient power: "They professed their willingness to pay duties to the king within the plantation, provided they might be allowed to import the necessary commodities of Europe without entering first in England." An amnesty for the past would readily have been conceded; for the  
1677. future, it was resolved "to consider the whole matter from the very root," and to reduce Massachusetts to "a more palpable dependence." That this might be done with the consent of the colony, the agents were enjoined to procure larger powers; but no larger powers were granted.

It was against fearful odds that Massachusetts continued the struggle. All England was united. Whatever party

triumphed, the mercantile interest would readily procure an enforcement of the laws of trade. "The country's neglect of the acts of navigation," wrote the agents, "has been most unhappy. Without a compliance in that matter, nothing can be expected but a total breach." "All the storms of displeasure" would be let loose.

It was not, therefore, a surprise when, in April, 1678, the committee of plantations directed the attorney and solicitor general to report whether the original charter had any legal entity, what was the effect of the quo warranto brought against it in 1635, and, lastly, whether the corporation had forfeited their charter by maladministration of its powers. In the following month, May 16, the opinion of the crown lawyers, Jones and Win-nington, was given, that the charter, if originally good, had not been dissolved by any quo warranto or judgment, but that the misdemeanors objected against the corporation were sufficient to avoid their patent. The committee immediately decided that a quo warranto should be brought against the charter of Massachusetts, and "new laws framed instead of such as were repugnant to the laws of England;" and Randolph was at once appointed "collector of his majesty's customs in New England." Many of the committee were confirmed in their belief, that a general governor and a colonial judicature of the king's appointment were become "altogether necessary."

The colony resolved, if it must fall, to fall with dignity. Religion had been the motive of the settlement; religion was now its counsellor. The fervors of the most ardent devotion were kindled; a more than usually solemn form of religious observance was adopted; a synod of all the churches in Massachusetts was convened, to inquire into the causes of the dangers to New England liberty, and the mode of removing the evils.

Meantime, the general court enacted several laws, partially removing the grounds of complaint. High treason was made a capital offence; the oath of allegiance was required of every male above sixteen years in the colony; the king's arms were "carved by an able artist, and erected

in the court-house." As to the laws of trade, the colony was unwilling to forfeit its charter and its religious liberties on a pecuniary question; and yet to acknowledge its readiness to submit to an act of parliament would be a surrender of the privilege of independent legislation. It therefore declared that "the acts of navigation were an invasion of the rights and privileges of the subjects of his majesty in the colony, they not being represented in parliament." "The laws of England," it added, "do not reach America." The general court then gave validity to the laws of navigation by an act of its own. "We would not," so they wrote to their agents, "that by any concessions of ours, or of yours in our behalf, any the least stone should be put out of the wall; and we hope that his majesty's favor will be as the north wind to scatter the clouds."

Disregarding the constant and often repeated importunities of Randolph for the arbitrary overthrow of the executive and legislative liberties of Massachusetts, the committee of plantations proposed, as measures to be immediately adopted, that the bishop of London should appoint a minister to go and reside in Boston, and that conformists to the church of England should be admitted to all freedoms and privileges of the colony. The settlement of weightier matters was postponed till the charter should be set aside by a court of law.

The difficulties in which the king became involved by his favor to the Roman Catholics, and by the dangers apprehended from the succession of a Roman Catholic to the crown, enfeebled and delayed the measures which were in preparation to overthrow the liberties of the old country and the new. In December, 1679, the agents,

1679. Stoughton and Bulkeley, arrived in Boston. About the same time came Randolph, whose patent as collector was recognised and enrolled, but who as yet received no help in the administration of his office. The commands of the king, that other agents should be sent over with unlimited powers, were not followed. Twice did Charles II. remonstrate against the disobedience of his subjects; twice did Randolph cross the Atlantic and return to England, to

assist in directing the government against Massachusetts. The commonwealth continued its system of procrastination. But the extravagances and crimes of the anti-popery party in England soon brought about a reaction; and the king, dissolving parliament and making use of subservient courts, was left the undisputed master in his kingdom. A letter from him to Massachusetts announced categorically that agents must be sent over with full powers, or measures would be taken "whereby their charter might be legally evicted and made void." Moved by the nearness of the danger, the general court, in February, 1682, selected Joseph Dudley and John Richards as its agents. France had succeeded in bribing the king to betray the political interests of England; Massachusetts was willing to purchase of him clemency toward its liberties.

The commission of the deputies was condemned by the privy council as insufficient, because they were expressly enjoined to consent to nothing that should infringe the privileges of the government established under the charter. They were ordered to obtain full powers for the entire regulation of the government, or the method of a judicial process would be adopted. The agents represented the condition of the colony as desperate. A general war against corporations was begun; many cities in England had surrendered. Was it not safest for the colony to decline a contest, and throw itself upon the favor or forbearance of the king? Such was the theme of universal discussion; all families spoke of it at their firesides; it entered into their prayers; it filled the sermons of the ministers; and, finally, Massachusetts resolved, in a manner that showed it to be distinctly the sentiment of the people, to resign the territory of Maine, which was held by purchase, but not to concede one liberty or one privilege which was held by charter. If liberty was to receive its death-blow, better that it should die by the violence and injustice of others than by their own weakness.

Before the end of July, 1683, the quo warranto was issued; Massachusetts was arraigned before an English tribunal, under judges holding their office at the

1688. pleasure of the crown; and in October, Randolph, Oct. the hated messenger, arrived in Boston with the writ. At the same time, a declaration from the king asked once more for submission, promising as a reward the royal favor, and the fewest alterations in the charter consistent with the support of a royal government.

The people of Massachusetts had been close observers of events in England. They had seen a popular party, of which Shaftesbury assumed the guidance, and of which the house of commons was the scene of victories, rise, act, and become defeated. They had seen Charles II. gradually establish despotic power. They had seen the people of England apparently acquiescing in the discontinuation of parliaments. An insurrection had indeed been planned; the doctrine had indeed been whispered that resistance to oppression was lawful. But the doctrine had been expiated

July 21. by the blood of Sidney and of Russell; and the colonists knew that, on the twenty-first of July, the very day of the death of Russell, the university of Oxford, conforming to the canons of the reign of James I., had declared "submission and obedience, clear, absolute, and without exception, to be the badge and character of the church of England." They knew that many cities of England had surrendered their charters; that London itself, the metropolis which had sheltered Hampden against Charles I., had found resistance ineffectual; and to render submission in Massachusetts easy by showing that opposition was desperate, two hundred copies of the proceedings against London were sent over to be dispersed among the people. The governor and assistants, now eighteen in number, were persuaded of the hopelessness of

Nov. 15. further resistance; even a tardy surrender of the charter might conciliate the monarch. On the fifteenth of November, they therefore resolved to remind the king of his promises, and "not to contend with his majesty in a court of law;" they would "send agents, empowered to receive his majesty's commands."

The magistrates referred this vote to "their brethren the deputies" for concurrence. During a full fortnight the

subject was debated, that a decision might be made in harmony with the people.

"Ought the government of Massachusetts," thus it was argued, "submit to the pleasure of the court as to alteration of their charter? Submission would be an offence against the majesty of Heaven; the religion of the people of New England and the court's pleasure cannot consist together. By submission Massachusetts will gain nothing. The court design an essential alteration, destructive to the vitals of the charter. The corporations in England that have made an entire resignation have no advantage over those that have stood a suit in law; but, if we maintain a suit, though we should be condemned, we may bring the matter to chancery or to a parliament, and in time recover all again. We ought not to act contrary to that way in which God hath owned our worthy predecessors, who, in 1638, when there was a quo warranto against the charter, durst not submit. In 1664, they did not submit to the commissioners. We, their successors, should walk in their steps, and so trust in the God of our fathers that we shall see his salvation. Submission would gratify our adversaries and grieve our friends. Our enemies know it will sound ill in the world for them to take away the liberties of a poor people of God in a wilderness. A resignation 1683. will bring slavery upon us sooner than otherwise it would be; and will grieve our friends in other colonies, whose eyes are now upon New England, expecting that the people there will not, through fear, give a pernicious example unto others.

"Blind obedience to the pleasure of the court cannot be without great sin, and incurring the high displeasure of the King of kings. Submission would be contrary unto that which has been the unanimous advice of the ministers, given after a solemn day of prayer. The ministers of God in New England have more of the spirit of John Baptist in them, than now, when a storm hath overtaken them, to be reeds shaken with the wind. The priests were to be the first that set their foot in the waters, and there to stand till the danger be past. Of all men, they should be an example

to the Lord's people, of faith, courage, and constancy. Unquestionably, if the blessed Cotton, Hooker, Davenport, Mather, Shepherd, Mitchell, were now living, they would, as is evident from their printed books, say, Do not sin in giving away the inheritance of your fathers.

"Nor ought we submit without the consent of the body of the people. But the freemen and church members throughout New England will never consent hereunto. Therefore the government may not do it.

"The civil liberties of New England are part of the inheritance of their fathers; and shall we give that inheritance away? Is it objected that we shall be exposed to great sufferings? Better suffer than sin. It is better to trust the God of our fathers, than to put confidence in princes. If we suffer because we dare not comply with the wills of men against the will of God, we suffer in a good cause, and shall be accounted martyrs in the next generation and at the great day."

At the request of the select men in Boston, Increase Mather did, contrary to his wont, appear at a town-meeting, and did encourage and excite the people to stand by their charter privileges, and not to give away their inheritance.

The decision of the colony, made by its representatives on the last day of the month, is on record:

1683. Nov. 30. "The deputies consent not, but adhere to their former bills."

1684. Addresses were forwarded to the king, urging forbearance; but entreaty and remonstrance were vain. The suit which had been begun in the court of the king's bench was dropped; a scire facias was issued from the court of chancery in England; and before the colony

June 18. could act upon it, on the eighteenth of June, 1684,

just one year and six days after the judgment against the city of London, the charter was conditionally adjudged to be forfeited. The judgment was confirmed on the first day of the Michaelmas term.

Thus fell the charter, which had been brought by the fleet of Winthrop to the shores of New England, had been cherished with anxious care through every vicissitude, and

had thus far sustained the fabric of New England liberties. There was now no barrier between the people of Massachusetts and the absolute will of the court of England. Was religion in danger? Was landed property secure? Would commercial enterprise be paralyzed by restrictions? Was New England destined to learn from its own experience the nature of despotism? Massachusetts, having lost its safeguards against absolute power, and fallen into the hands of the government, the privy council took into consideration what was to be done with it; and the majority of them were of the opinion, upheld a century later by Thurlow, that the whole power, legislative as well as executive, should abide in the crown. Yet one statesman defended at the council board the principles which, in a former generation, had inspired Sir Edwin Sandys and the Earl of Southampton to secure the liberties of Englishmen to Virginians. "Halifax," so narrates a British historian, "argued with great energy against absolute monarchy, and in favor of representative government. It was vain, he said, to think that a population, sprung from the English stock and animated by English feelings, would long bear to be deprived of English institutions. Life, he exclaimed, would not be worth having in a country where liberty and property were at the mercy of one despotic master. The Duke of York was incensed by this language, and represented to his brother the danger of retaining in office a man who appeared to be infected with all the worst notions of Marvell and Sydney."

A copy of the judgment against the charter of Massachusetts was received in Boston on the second <sup>1685</sup> July 2. of July of the following year; but, before that day, the Duke of York had ascended the throne.

Gloomy forebodings overspread New England. The confederacy of the Calvinist colonies had already died of apathy. The restoration of monarchy in 1660 had been the signal for its decline. By its articles no two colonies could be joined in one except by the consent of the whole; and the charter by which Charles II. annexed New Haven to Connecticut proved that there was a higher power,

which overruled their decisions and paralyzed their acts. From that epoch the meetings of the commissioners were held but once in three years. The dangers of the Indian war roused their dying energies. After the peace at Boston in 1681, they did but settle a few small war-claims; their only meeting after the forfeiture of the charter of 1684. Massachusetts was in September, 1684, at Hartford, from which place they appointed a day of fasting to bewail the rebukes and threatening from Heaven, and their last word was "for the defence of the Protestant religion."

## CHAPTER XVII.

## SHAFTESBURY AND LOCKE LEGISLATE FOR CAROLINA.

MEANTIME, civilization had advanced at the South ; and twin stars were emerging beyond the limits of Virginia, in the country over which Soto had rambled in quest of gold, where Calvinists, befriended by Coligny, had sought a refuge, and where Raleigh had attempted to found colonial principalities.

Massachusetts and Carolina were both colonized under proprietary charters, and of both the charters were subverted ; but, while the proprietaries of the former, united by the love of religious liberty, were emigrants themselves, the proprietaries of the latter were a company of English courtiers, combined for the purpose of a vast speculation in lands. The government established in Massachusetts was essentially popular, and was the growth of the soil ; the constitution of Carolina was invented in England. Massachusetts was originally colonized by a feeble band of suffering yet resolute exiles, and its institutions were the natural result of the good sense and instinct for liberty of an agricultural people ; Carolina was settled under the auspices of the wealthiest and most influential nobility, and its fundamental laws were framed with forethought by the most sagacious politician and the most profound philosopher of England of that day. The king, through an obsequious judiciary, annulled the government of Massachusetts ; the colonists repudiated the constitutions of Carolina. The principles of the former possessed an inherent vitality, which nothing has been able to destroy ; the frame of the latter, as it disappeared, left no trace of its transitory existence, except in the institutions which sprung from its decay.

The reign of Charles II. was not less remarkable for the rapacity of the courtiers than for the dissoluteness of the monarch. The southern part of our republic, ever regarded as capable of producing all the staples that thrive on the borders of the tropics, was coveted by statesmen who controlled the patronage of the British realms. The

<sup>1663.</sup>  
<sup>Mar. 24.</sup> province of Carolina, extending from the thirty-sixth degree of north latitude to the river San Matheo, was accordingly erected into one territory; and the historian Clarendon, the covetous though experienced minister, hated by the people, faithful only to the king; Monk, so conspicuous in the restoration, and now ennobled as Duke of Albemarle; Lord Craven, a brave Cavalier, an old soldier of the German discipline, supposed to be husband to the queen of Bohemia; Lord Ashley Cooper, afterwards Earl of Shaftesbury; Sir John Colleton, a royalist of no historical notoriety; Lord John Berkeley, with his younger brother, Sir William Berkeley, the governor of Virginia; and the passionate, ignorant, and not too honest Sir George Carteret,—were constituted its proprietors and immediate sovereigns. Their authority was nearly absolute; nothing was reserved but a barren allegiance. Avarice is the vice of declining years; most of the proprietaries were past middle life. They begged the country under pretence of “a pious zeal for the propagation of the gospel;” and their sole object was the increase of their own wealth and dignity.

The grant had hardly been made before it became apparent that there were competitors, claiming possession of the same territory. It was included by the Spaniards within the limits of Florida; and the castle of St. Augustine was deemed proof of the actual possession of an indefinite adjacent country. Spain had never formally acknowledged the English title to any possessions in America; and, when a treaty was finally concluded at Madrid, it did but faintly concede the right of England to her transatlantic colonies, and to a continuance of commerce in “the accustomed seas.”

And not Spain only claimed Carolina. In 1630, a patent

for all the territory had been issued to Sir Robert Heath; and there is room to believe that, in 1639, permanent plantations were planned and perhaps attempted by his assign. William Hawley appeared in Virginia as "governor of Carolina," the land between the thirty-first and thirty-sixth parallels of latitude; and leave was granted by the Virginia legislature that it might be colonized by one hundred persons from Virginia, "freemen, being single, and disengaged of debt." The attempts were certainly <sup>1663.</sup> unsuccessful, for the patent was now declared void, because the purposes for which it was granted had never been fulfilled.

More stubborn rivals were found to have already <sup>1660, or</sup> planted themselves on the river Cape Fear. Hardly <sup>1661.</sup> had New England received within its bosom a few scanty colonies, before her citizens and her sons began roaming the continent and traversing the seas in quest of untried fortune. A little bark, navigated by New England men, had hovered off the coast of Carolina; they had carefully watched the dangers of its navigation; had found their way into the Cape Fear River; had purchased of the Indian chiefs a title to the soil, and had boldly planted a little colony of herdsmen far to the south of any English settlement on the continent. Already they had partners in London, and hardly was the grant of Carolina made known, before <sup>1663.</sup> <sup>Aug. 6.</sup> their agents pleaded their discovery, occupancy, and purchase, as affording a valid title to the soil, while they claimed the privileges of self-government as a natural right. A compromise was offered; and the proprietaries, in their "proposals to all that would plant in Carolina," promised emigrants from New England religious freedom, a governor and council to be elected from among a number whom the emigrants themselves should nominate, a representative assembly, independent legislation, subject only to the negative of the proprietaries, land at a rent of a halfpenny an aere, and such freedom from customs as the charter would warrant. Yet the lands round Cape Fear were not inviting to men who could choose their abodes from the whole wilderness; the herds, and the fields in which they browsed,

were for a season abandoned to the care of friendly Indians ; and the emigrants, revisiting their former homes, "spread a reproach on the harbor and the soil." But the colony was not at once wholly deserted ; and, if its sufferings became extreme, Massachusetts, the young mother of colonies, not indifferent to the fate of her children, listened to their

prayer "for some relief in their distress," and in May, 1667.

1667, ministered to their wants by a general contribution through her settlements. The infant town planted on Oldtown Creek, near the south side of Cape Fear River, did not prosper ; the Indians took offence at the New England planters, and with their bows and arrows rid themselves of the intruders. Other causes than the roving restlessness of the Independents from Massachusetts produced "the distractions" which ensued ; nature herself, especially in the wilderness, prompts and encourages the love of freedom.

The conditions offered to the colony of Cape Fear "were not intended for the meridian" of Virginia. "There," said the proprietaries, in their instructions to Sir William Berkeley, "we hope to find more facile people" than the New England men. Yet they intrusted the affair entirely to Sir William's management. He was to get settlers as cheaply as possible ; yet at any rate to get settlers.

Like Massachusetts, Virginia was the mother of a cluster of states ; like the towns of New England, the plantations of Virginia extended along the sea. The country on Nan-

semund River had been settled as early as 1609 ; in 1622. Feb. 1622, the adventurous Pory, then secretary of the Old

Dominion, travelled over land to the South River, Chowan, and, on his return, celebrated the kindness of the native people, the fertility of the country, and the happy climate, that yielded two harvests in each year. If no immediate colonization ensued, if the plans formed in England by Sir Robert Heath, or by Lord Maltravers, Heath's as-

sign, were never realized, the desire of extending the 1642. Jan. 1642 settlements to the south still prevailed ; and, twenty years after the excursion of Pory, a company, that 1643. had heard of the river that lay south-west of the Ap-

pomattox, obtained leave of the Virginia legislature to prosecute the discovery, under the promise of a fourteen years' monopoly of the profits. Exploring parties to the south not less than to the west, to Southern Virginia or Carolina, continued to be encouraged by similar grants. Clayborne, the early trader in Maryland, still <sup>1652.</sup> cherished a fondness for discovery ; and the sons of Governor Yeardley wrote to England with pride, that the northern country of Carolina had been explored by " Virginians born."

We are not left to conjecture who of the inhabitants of Nansemund of that day first traversed the intervening forests and came upon the rivers that flow into Albemarle Sound. The company was led by Roger Green ; and his services were rewarded by the grant of a thousand <sup>1653.</sup> acres, while ten thousand acres were offered to any <sup>July.</sup> hundred persons who would plant on the banks of the Roanoke, or on the south side of the Chowan and its tributary streams. These conditional grants seem not to have taken effect ; yet the enterprise of Virginia did not flag ; and Thomas Dew, once the speaker of the assembly, formed a plan for exploring the navigable rivers still <sup>1658.</sup> <sup>Deo</sup> further to the south, between Cape Hatteras and Cape Fear. How far this spirit of discovery led to immediate emigration, it is not possible to determine. The county of Nansemund had long abounded in non-conformists ; and it is certain the first settlements on Albemarle Sound were a result of spontaneous overflowings from Virginia. Perhaps a few vagrant families were planted within the limits of Carolina before the restoration. At that period, men who were impatient of enforced religious conformity and distrusted the new government in Virginia, plunged more deeply into the forests. It is known that, in 1662, the chief of a tribe of Indians granted to George Durant the neck of land which still bears his name ; and, in the following year, George Cathmaid could claim from Sir William Berkeley a large grant of land upon <sup>1663.</sup> <sup>April 1.</sup> the sound, as a reward for having established sixty-seven persons in Carolina. This may have been the oldest

considerable settlement; there is reason to believe that volunteer emigrants had preceded them. In September, the colony had attracted the attention of the proprietaries; and Berkeley was commissioned to institute a government over the region, which, in honor of Monk, received the name that time has transferred to the bay. The plantations were chiefly on the north-east bank of the Chowan; and, as the mouth of that river is north of the thirty-sixth parallel of latitude, they were not included in the first patent of Carolina. Yet Berkeley, who was but governor of Virginia, and was a joint proprietary of Carolina, obeyed his interest as landholder more than his duty as governor; and, severing the settlement from the Ancient Dominion, established a separate government over men who had fled into the woods for the enjoyment of independence, and who had already, at least in part, obtained a grant of their lands from the aboriginal lords of the soil.

Berkeley did not venture to discuss the political principles or dispute the possessions of these pioneers. He appointed William Drummond, an emigrant to Virginia from Scotland, probably a Presbyterian, a man of prudence and popularity, deeply imbued with the passion for popular liberty, to be the governor of Northern Carolina; and, conforming to instructions from his associates, he instituted a simple form of government, a Carolina assembly, and an easy tenure of lands; leaving the infant people to enjoy liberty of conscience, and to forget the world, till quit-rents should fall due. Such was the origin of fixed settlements in North Carolina. The child of ecclesiastical oppression was swathed in independence.

But not New England and Virginia only turned their eyes to the southern part of our republic. In 1663, several planters of Barbados, dissatisfied with their condition, and desiring to establish a colony under their own exclusive direction, despatched a vessel to examine the country. The careful explorers reported that the climate was agreeable and the soil of various qualities; that game abounded; that the natives promised peace. They purchased of the Indians

Sept. 29

to

Dec. 4.

a tract of land thirty-two miles square, on Cape Fear River, near the neglected settlement of the New Englanders; and their employers begged of the proprietaries <sup>1665.</sup> a confirmation of the purchase and a separate charter of government. Not all their request was granted; yet liberal terms were proposed; and Sir John Yeamans, the son of a Cavalier, a needy baronet, who, to mend his fortune, had become a Barbados planter, was appointed governor, with a jurisdiction extending from Cape <sup>1663.</sup> Fear to the San Matheo. The country was called Clarendon. "Make things easy to the people of New England; from thence the greatest supplies are expected:" such were his instructions. Under an ample grant of liberties for the colony, he conducted, in the autumn of 1665, a band of emigrants from Barbados, and on the south bank of Cape Fear River laid the foundation of a town, which flourished so little that its site is at this day a subject of dispute. Yet the colony, barren as were the plains around them, exported boards and shingles and staves to Barbados. The traffic was profitable; emigration increased; the influence of the proprietaries fostered its growth; and it has been said that, in 1666, the plantation contained eight hundred souls. Many preferred it, as a place of residence, to Barbados; and Yeamans, who understood the nature of colonial trade, managed its affairs without reproach.

Meantime, the proprietaries, having collected minute information respecting the coast, coveted an extension of their domains; and, indifferent to the claims of Virginia, and in open contempt of the garrison of Spain at St. Augustine, Clarendon and his associates easily obtained from the king a new charter, which granted to them <sup>1665.</sup> <sub>June 13.</sub> all the land lying between twenty-nine degrees and thirty-six degrees thirty minutes, north latitude, from the Atlantic to the Pacific Ocean. The soil, and, under the limitation of a nominal allegiance, the sovereignty, were theirs, with the power of legislation, subject to the consent of the future freemen of the colony. The grant of privileges was ample, like those to Rhode Island and Connecti-

cut. An express clause opened the way for religious freedom; another held out to the proprietaries a hope of revenue from colonial customs, to be imposed in colonial ports by Carolina legislatures; another gave them the power of erecting cities and manors, counties and baronies, and of establishing orders of nobility, with other than English titles. The power to levy troops, to erect fortifications, to make war by sea and land on their enemies, and to exercise martial law in cases of necessity, was not withheld. Every favor was extended to the proprietaries; nothing was neglected

but the interests of the English sovereign and the  
1668. rights of the colonists. Imagination encouraged every extravagant hope; and Ashley Cooper, Earl of Shaftesbury, the most active and the most able of the corporators, was deputed by them to frame for the dawning states a perfect constitution, worthy to endure throughout all ages.

Shaftesbury was at this time in the full maturity of his genius; celebrated for eloquence, philosophic acuteness, and sagacity; high in power, and of aspiring ambition. Born to hereditary wealth, the pupil of Prideaux had given his early years to the assiduous pursuit of knowledge; and from boyhood the intellectual part of his nature held the mastery over the love of indulgence and luxury. Connected with the landed aristocracy of England, cradled in politics, and chosen a member of parliament at the age of nineteen, his long public career was checkered by the greatest varieties of success. His party connections were affected by the revolutions of the times; and he has been charged with political inconsistency. But men of great mental power, though they may often change their instruments, change their principles and their purposes rarely. The fruit is as the seed. He often shifted his associates, never his purposes; alike the enemy to absolute monarchy and to democratic influence, he connected his own aggrandizement with the privileges and interests of British commerce, of Protestant religious liberty, and of the landed aristocracy of England. In the Long Parliament, he acted with the people against absolute power; but, while Vane adhered to the parliament

from love of popular rights, Shaftesbury adhered to it as the guardian of aristocratic liberty. Again, under Cromwell, Shaftesbury was still the opponent of arbitrary power. At the restoration, he would not tolerate an agreement with the king; such agreement, at that time, could not but have been democratic, and adverse to the privileges of the nobility, which, therefore, in the plenitude of the royal power, sought an ally against the people. When Charles II. showed a disposition to become, like Louis XIV., superior to the gentry as well as to the democracy, Shaftesbury joined the party opposed to the ultra royalists, not as renouncing his principles, but from hostility to the supporters of prerogative. The party which he represented, the great aristocracy of blood and of wealth, had to sustain itself between the people on one side and the monarch on the other. The "nobility" was, in his view, the "rock" of "English principles;" the power of the peerage and of arbitrary monarchy were "as two buckets, of which one goes down exactly as the other goes up." In the people of England, as the depository of power and freedom, Shaftesbury had no confidence; his system protected wealth and privilege; and he desired to deposit the conservative principles of society in the exclusive custody of the favored classes. Cromwell had proposed, and Vane had advocated, a reform in parliament; Shaftesbury showed no disposition to diminish the influence of the nobility over the lower house.

Such were the political principles of Shaftesbury, and his personal character was analogous. He loved wealth without being a slave to avarice; and, though he would have made no scruple of "robbing the devil or the altar," he would not pervert the course of judgment, or be bribed into the abandonment of his convictions. If, as lord chancellor, he sometimes received a present, his judgment was never suspected of a bias. Careless of precedents, usages, and bar-rules, he was quick to discern the right, and to render an equitable decision. Everybody applauded but the lawyers; they censured the contempt of ancient forms, the diminished weight of authority, and the neglect of legal erudition; the historians, the poets, common fame, even his

enemies, declared that never had a judge possessed more discerning eyes or cleaner hands;

Unbribed, unbought, the wretched to redress,  
Swift of despatch, and easy of access.

Nobody questioned that, as a royalist minister, he might have “freely gathered the golden fruit;” but he disdained the monarch’s favor, and stood firmly by the vested rights of his order.

In person he was small, and alike irritable and versatile. It belongs to such a man to have cunning rather than wisdom; celerity rather than dignity; the high powers of abstraction and generalization rather than the still higher power of successful activity. He transacted business with an admirable ease and mastery, for his lucid understanding delighted in general principles; but he could not successfully control men, for he had neither conduct in the direction of a party nor integrity in the choice of means. He would use a prejudice as soon as an argument; would stimulate a superstition as soon as wake truth to the battle; would flatter a crowd or court a king. Having debauched his mind into a contempt for the people, he attempted to guide them by inflaming their passions.

This contempt for humanity punishes itself; Shaftesbury was destitute of the healthy judgment which comes from sympathy with his fellow-men. Alive to the force of an argument, he never could judge of its effect on other minds; his subtle wit, prompt to seize on the motives to conduct and the natural affinities of parties, could not discern the moral obstacles to new combinations. He had no natural sense of propriety; he despised gravity, as, what indeed it often is, the affectation of dulness; and thought it no condescension to charm by drollery. Himself without veneration for prejudice or prescriptive usage, he never could estimate the difficulty of abrogating a form or overcoming a prejudice. His mind regarded purposes and results, and he did not so much defy appearances as rest ignorant of their power. Desiring to exclude the Duke of York from the throne, no delicacy of sentiment restrained him from proposing the succession to the uncertain issue of an aban-

doned woman, who had once been mistress to the king; and he saw no cruelty in urging Charles II. to divorce a confiding wife, who had the blemish of barrenness.

The same want of common feeling, joined to a surprising mobility, left Shaftesbury in ignorance of the energy of religious convictions. Skeptics are apt to be superstitious; the moral restlessness of perpetual doubt often superinduces nervous timidity. Shaftesbury would not fear God, but he watched the stars; he did not receive Christianity, and he could not reject astrology.

Excellent in counsel, Shaftesbury was poor as an executive agent. His restless spirit fretted at delay, and grew feverish with impatient waiting. His eager impetuosity betrayed the designs of the poor dissembler; and, when unoccupied, his vexed and anxious mind lost its balance, and planned desperate counsels. In times of tranquillity, the crafty intriguer was too passionate for success; but, when the storm was really come, and old landmarks were washed away, and the wonted lights in the heavens were darkened, Shaftesbury was a daring and successful statesman; for he knew how to evolve a rule of conduct from general principles.

At a time when John Locke was unknown to the world, Shaftesbury detected the riches of his mind, 1669. and chose him for a friend and adviser in the work of legislation for Carolina. Locke was at this time in the midway of life, adorning the clearest understanding with gentleness, good humor, and ingenuousness. Of a sunny disposition, he could be choleric without malice, and gay without levity. He was a most dutiful son. In dialectics, he was unparalleled, except by his patron. Esteeming the pursuit of truth the first object of life, and its attainment as the criterion of dignity, he never sacrificed a conviction to an interest. The ill success of the democratic revolution of England had made him an enemy to popular innovations. He had seen the commons of England incapable of retaining the precious conquest they had made; and, being neither a theorist like Milton, nor a tory like Tillotson, he cherished what at that day were called English principles; looking to the aristocracy as the surest adver-

saries of arbitrary power. He did not, like Sydney, sigh for the good old cause of a republic; nor, like Penn, confide in the instincts of humanity; but regarded the privileges of the nobility as the guarantees of English liberties. Emphatically free from avarice, he could yet, as a political writer, deify liberty under the form of wealth; to him slavery seemed no unrighteous institution; and he defines "political power to be the right of making laws for regulating and preserving property." Having no kindling love for ideal excellence, he abhorred the designs and disbelieved the promises of democracy; he could sneer at the enthusiasm of Friends. Unlike Penn, he believed it possible to construct the future according to the forms of the past. No voice of God within his soul called him away from the usages of England; and, as he went forth to lay the foundations of civil government in the wilderness, he bowed his understanding to the persuasive influence of Shaftesbury. But the political institutions of the United States were not formed by giant minds, or "nobles after the flesh." American history knows but one avenue to success in American legislation, freedom from ancient prejudice. The best lawgivers in our colonies first became as little children.

In framing constitutions for Carolina, Locke forgot that there can be no such thing as a creation of laws; for laws are but the arrangement of men in society, and good laws are but the arrangement of men in society in their just and natural relations. It is the prerogative of self-government that it adapts itself to every circumstance which can arise. Its institutions, if often defective, are always appropriate; for they are the exact representation of the condition of a people, and can be evil only because there are evils in society, exactly as a coat may suit an ill-shaped person. Habits of thought and action fix their stamp on the public code; the faith, the prejudices, the hopes of a people, may be read there; and, as knowledge advances, each erroneous judgment, each perverse enactment, yields to the embodied force of the common will. The method to success in legislating for Carolina could only have been the counsels of the emigrants themselves.

The constitutions for Carolina merit attention as the only continued attempt within the United States to connect political power with hereditary wealth. America was singularly rich in every form of representative government; its political life was so varied that, in modern constitutions, hardly a method of constituting an upper or a popular house has thus far been suggested, of which the character and the operation had not already been tested in the experience of our fathers. In Carolina the disputes of a thousand years were crowded into a generation.

Europe suffered from obsolete but not inoperative laws; no statute of Carolina was to bind beyond a century: Europe suffered from the multiplication of law-books and the perplexities of the law; in Carolina, not a commentary might be written on the constitutions, the statutes, or the common law: Europe suffered from the furies of bigotry; Carolina promised not equal rights, but toleration to "Jews, heathens, and other dissenters," to "men of any religion." In other respects, "the interests of the proprietors," the desire of "a government most agreeable to monarchy," and the dread of "a numerous democracy," are avowed as the motives for forming the fundamental constitutions of Carolina.

The proprietaries, as sovereigns, constituted a close corporation of eight; a number which was never to be diminished or increased. The dignity was hereditary: in default of heirs, the survivors elected a successor. Thus was formed an upper house, self-elected and immortal.

For purposes of settlement, the almost boundless territory was to be divided into counties, each containing four hundred and eighty thousand acres. The creation of two orders of nobility—one landgrave or earl, and two caciques or barons for each county—preceded the distribution of lands into five equal parts, of which one remained the inalienable property of the proprietaries, and another formed the inalienable and indivisible estates of the nobility. The remaining three fifths were reserved for what was called the people; and might be held by lords of manors who were not hereditary legislators, but, like the nobility, might exer-

cise judicial powers in their baronial courts. The number of the nobility might neither be increased nor diminished; election supplied the places left vacant for want of heirs; for, by an agrarian principle, estates and dignities were not allowed to accumulate.

The instinct of aristocracy dreads the moral power of proprietary cultivators of the soil; their perpetual degradation was enacted. The leet-men, or tenants, holding ten acres of land at a fixed rent, were not only destitute of political franchises, but were adscripts to the soil; "under the jurisdiction of their lord, without appeal;" and it was added, "all the children of leet-men shall be leet-men, and so to all generations."

Grotius had defended slavery as a rightful condition; a few years later, William Penn employed African bondmen; Locke proposed, without compunction, that every freeman of Carolina should have absolute power and authority over his negro slaves.

By the side of the seigniories, baronies, and manors, room was left for freeholders; but no elective franchise could be conferred on a freeholder of less than fifty acres, and no eligibility to the parliament on a freehold of less than five hundred.

All executive power, and, in the last resort, all judiciary power, rested with the proprietaries themselves. The seven subordinate courts had each a proprietary for its chief; and, of the forty-two counsellors of whom they were composed, twenty-eight were appointed by the proprietaries and the nobility. The judiciary was placed beyond the reach of popular influence. To one aristocratic court was intrusted the superintendence of the press; and, as if not only men would submit their minds, but women their tastes, and children their pastimes, to a tribunal, another court had cognizance of "ceremonies and pedigrees, of fashions and sports." Of the fifty who composed the grand council of Carolina, fourteen only represented the commons, and of these the tenure of office was for life.

The constitutions recognised four estates, the proprietaries, the landgraves, the caciques, and the commons. In

the parliament, all the estates assembled in one chamber; apart from the proprietaries, who might appear by deputies, the commons elected four members for every three of the nobility; but large proprietors were alone eligible. An aristocratic majority might, therefore, always be relied upon; but, to prevent danger, three methods, reproduced, in part, in modern monarchical constitutions, were adopted; the proprietaries reserved to themselves a negative on all the proceedings of parliament; no subject could be initiated, except through the grand council; and, in case of a constitutional objection to a law, either of the four estates might interpose a veto. Popular enfranchisement was made an impossibility. Executive, judicial, and legislative power was each beyond the control of the people.

A few singularities were in harmony with the great outlines of the system. In trials by jury, the majority decided,—a rule fatal to the oppressed; for, where moral courage is requisite for an acquittal, more than a small minority cannot always be expected. Another clause, which declared it "a base and vile thing to plead for money or reward," could not but compel the less educated classes to establish between themselves and the nobility the relation of clients and patrons.

Such were the constitutions devised for Carolina by Shaftesbury and Locke, by the statesman who was the type of the Revolution of 1688, and the sage who was the antagonist of Descartes and William Penn. Several American writers have attempted to exonerate Locke from a share in the work which they condemn; but it harmonizes with the principles of his philosophy and with his theories on government. To his late old age he preserved with care the evidence of his legislative labors; and his admirers esteemed him the superior of the contemporary Quaker king, the rival of "the ancient philosophers," to whom the world had "erected statues." The constitutions were signed on the twenty-first of July, 1669; and, five days later, a commission as governor was issued to William Sayle.

In a second draft of the constitutions, against the wishes of Locke, a clause was interpolated, declaring that, while

every religion should be tolerated, the church of England, as the only true and orthodox church, was to be the national religion of Carolina, and was alone to receive public maintenance by grants from the colonial parliament. This revised copy of "the model" was not signed till March, 1670. To a colony of which the majority were likely to be dissenters, the change was vital; it was scarcely noticed in England, where the model became the theme of extravagant applause. "It is without compare," wrote Blome, in 1672. "Empires," added an admirer of Shaftesbury, "will be ambitious of subjection to the noble government which deep wisdom has projected for Carolina;" and the proprietaries believed they had set their seals to "a sacred and unalterable" instrument, which they decreed should endure "for ever."

As far as depended upon the proprietaries, the government was immediately organized with Monk, Duke of Albemarle, as palatine. But was there room for a palatine and landgraves, for barons and lords of manors, for an admiralty court and a court of heraldry, among the scattered cabins between the Chowan and the ocean?

Albemarle had been increased by fresh emigrants  
 1665. from New England, and by a colony of ship-builders  
 from the Bermudas, who lived contentedly with  
 1667. Stevens as chief magistrate, under a very wise and  
 simple form of government. A council of twelve,  
 six named by the proprietaries, and six chosen by the assembly; an assembly, composed of the governor, the council, and twelve delegates from the freeholders of the incipient settlements,—formed a government which enjoyed popular confidence. No interference from abroad was anticipated; for freedom of religion, and security against taxation, except by the colonial legislature, were conceded. The colonists were satisfied; the more so, as their lands were confirmed to them on their own terms.

The authentic record of the legislative history of  
 1669. North Carolina begins with the autumn of 1669, when  
 the legislators of Albemarle, ignorant of the scheme  
 which Locke and Shaftesbury were maturing, framed a few  
 laws which, however open to objection, were suited to the

character, opinions, and manners of the inhabitants, and which therefore endured long after the designs of Locke were abandoned. New settlements invite the adventurer and welcome the needy. The planters of Albemarle gave a five years' security to the emigrant debtor against any cause of action arising out of the country. Marriage was made a civil contract, requiring for its validity nothing more than the consent of parties before a magistrate with witnesses. New settlers were exempted from taxation for a year. The care for peace, or the instinct of monopoly, prohibited strangers from trading with the neighboring Indians. As every adventurer who joined the colony received a bounty in land, frauds were checked by withholding a perfect title, till the emigrant should have resided two years in the colony. The members of this early legislature probably received no compensation; to meet the expenses of the governor and council, a fee of thirty pounds of tobacco was exacted in every lawsuit. Such was the simple legislation of men, who, being destitute of fortune, had roamed in quest of it. The laws were sufficient, were confirmed by the proprietaries, were re-enacted in 1715, and were valid 1670. in North Carolina for more than half a century.

Hardly had these laws been established, when the new constitution was forwarded to Albemarle. Its promulgation did but favor anarchy by invalidating the 1670 to 1674 existing system, which it could not replace. The proprietaries, contrary to stipulations with the colonists, superseded the existing government; and the colonists resolutely rejected the substitute.

Far different was the welcome with which the people of North Carolina met the first messengers of religion. From the commencement of the settlement, there 1672. seems not to have been a minister in the land; there was no public worship but such as burst from the hearts of the people themselves, when natural feeling took the form of words. But man is by nature prone to religious impressions; and when William Edmundson came to visit his Quaker brethren among the groves of Albemarle, "he met with a tender people," delivered his doctrine in the authority

of truth," and made converts to the society of Friends. A quarterly meeting of discipline was established; and the society, of which opposition to spiritual authority is the badge, was the first to organize a religious community in Carolina.

In the autumn of the same year, George Fox, the father of the sect, the upright man, who could say of himself, "What I am in words, I am the same in life," travelled across "the great bogs" of the Dismal Swamp, commonly "lying abroad a-nights in the woods by a fire," till at last he reached a house in Carolina, and obtained the luxury of a mat by the fireside. He was made welcome to the refuge of Quakers and fugitives from ecclesiastical oppression. The people "lived lonely in the woods," with no other guardian to their solitary houses than a watch-dog. There have been religious communities which, binding themselves by a vow to a life of study and reflection, have planted their monasteries in the recesses of the desert, where they might best lift up their hearts to contemplative enjoyments. Here was a colony of men from civilized life, scattered among the forests, hermits with wives and children, resting on the bosom of nature, in harmony with the wilderness of their gentle clime. With absolute freedom of conscience, reason and good-will to man were the simple rule of their conduct. Such was the people to whom George Fox "opened many things concerning the light and spirit of God that is in every one." He became the guest of the governor of the province, who, with his wife, "received him lovingly." The plantations of that day were upon the bay, and along the streams that flow into it; the rivers and the inlets were the highways of Carolina; the boat and the lighter birchen skiff the only equipage; every man knew how to handle the oar; and there was hardly a woman but could paddle a canoe. When Fox continued his journey, the governor, having been admonished to listen to the voice of truth in the oracles of nature, accompanied him to the water's edge; and, as the chief magistrate of North Carolina and the envoy of humanity travelled together on foot through the ancient woods, it might indeed have seemed, far more than in the companionship of

Shaftesbury and Locke, that the days of the legislation of philosophy were revived. For in the character of his wisdom, in the method of its acquisition by deep feeling, reflection, and travel, and in its fruits, George Fox far more nearly resembled the simplicity of the ancient sages, the peers of Thales and Solon, whom common fame has immortalized. From the house of the governor, the traveller continued his journey to the residence of "Joseph Scot, one of the representatives of the country," where he had "a sound and precious meeting" with the people. His eloquence reached their hearts; for he did but assert the paramount value of the impulses and feelings which had guided them in the wilderness. He "had a sense of all conditions;" for "how else could he have spoken to all conditions?" At another meeting, "the chief secretary of the province," who "had been formerly convinced," was present; and Fox became his guest, yet not without "much ado;" for, as the boat approached his plantation, it grounded in the shallow channel, and could not be brought to shore. But a little skiff shot promptly to the traveller's relief; the wife of the secretary of state came herself in a canoe, and brought him to her hospitable home. As he turned again towards Virginia, he could say that he had found the people of North Carolina "generally tender and open;" and that he had made among them "a little entrance for truth."

While it was thus practically uncertain what was the government of North Carolina, the country was left without a governor by the death of Stevens. The assembly, conforming to a prudent instruction of the proprietaries, elected a successor; and Cartwright, their speaker, acted for two years at the head of the administration. But the difficulty of introducing the model did not diminish. Persons into whose hands the proprietaries had committed the government interfered with great violence and injustice to prevent the progress of discovery and colonization to the southward; and those who had planted on the south side of the Chowan and the Roanoke were commanded back, to their great prejudice and inconvenience. Moreover, fears prevailed that "Sir

1674.

The

1674 to  
1676.

William Berkeley was become the sole proprietary" of that part of Carolina. Moved "by these apprehensions and the conjunction of the times," the North Carolinians themselves "ordered and settled the council and government," until an appeal could be taken to the proprietaries. To them, Thomas Miller carried letters from the self-constituted government of Albemarle; and Eastchurch, the new speaker of the assembly, followed as its agent to explain the public grievances. The proprietaries, after some of them had "discoursed with" Eastchurch and Miller, wrote to the assembly: "They have fully satisfied us that the fault was not in you, but in those persons into whose hands we committed the government." They gave their promise "not to part with the county of Albemarle to any person, but to maintain the province of Carolina entire as it was, that they might preserve the inhabitants in English rights and liberties." Instead of insisting on the introduction of the grand model, they restored the simple government which had existed in the beginning of the settlement.

For governor of Albemarle, they named Eastchurch himself, "because," they said, "he seems to us a very discreet and worthy man, and very much concerned for your prosperity and welfare, and, by the opportunity of his being here, is well instructed in our desires." For the grand council they named their own deputies, and invited the assembly to choose as many more. While they praised the good disposition of the North Carolinians to administer "fair justice among themselves," they added: "We utterly dislike trying or condemning any person, either in criminal or civil causes, without a jury; and evidence clandestinely taken can be of no validity otherwise than to cause the criminal person to be secured, where the crime is of a high nature." They desired to connect their own interests with those of the colony, and were willing to approve any measures that the assembly might propose for extending colonization on the Pamlico and the Neuse, and opening connection by land with plantations in South Carolina.

They attempted to restrain the scattered manner of life of the colonists. "Without towns," they wrote, "you will

not long continue civilized, or even be considerable or secure." Miller, who had been the bearer of their letters, was appointed secretary of the province; while the complaints which he had made were referred to the council and assembly in the place. As to the acts of navigation, the proprietaries never questioned their validity; and Miller received from the crown a commission as collector of the customs.

The new officers embarked for Carolina by way of the West Indies, where Eastchurch remained for a season; while Miller proceeded to the province, in which he was to hold the triple office of president or governor, <sup>1677.</sup> July. secretary, and collector.

The government had for about a year been left in what royalists called "ill order and worse hands;" that is, it had been a government of the people themselves. The suppression of a fierce insurrection in Virginia had been followed by the vindictive fury of ruthless punishments; and "runaways, rogues, and rebels," that is to say, fugitives from arbitrary tribunals, non-conformists, and friends to liberty, "fled daily to Carolina, as their common subterfuge and lurking place." Did letters from Virginia demand the surrender of leaders in the rebellion, Carolina refused to betray the fugitives.

The presence of such emigrants made oppression more difficult than ever; but here, as throughout the colonies, the navigation acts were the cause for greater restlessness and more permanent discontent. And never did national avarice exhibit itself more meanly than in the relations of English legislation to North Carolina. The whole district hardly contained four thousand inhabitants; a few fat cattle, a little maize, and eight hundred hogsheads of tobacco, formed all their exports; their humble commerce had attracted none but small craft from New England; and the mariners of Boston, guiding their vessels through the narrow entrances of the bay, brought to the doors of the scattered planters the few foreign articles which the exchange of their produce could purchase. And yet this inconsiderable traffic, so little alluring, but so convenient to the colonists, was envied

by the English merchant ; the law of 1672 was to be enforced ; the traders of Boston were to be crowded from the market by an unreasonable duty ; and the planters to send their harvests to England as they could.

How unwelcome, then, must have been the presence of Miller, who levied the hateful tribute of a penny on every pound of tobacco exported to New England ! A jealousy of the northern colonies was also fostered ; "they cannot," it was urged, "be friends to the prosperity of Carolina, which will certainly in time render them inconsiderable." But the antiquated prejudices of Europe were not to gain entrance beyond the Atlantic, and never did one American colony repine at the increase of another. The traffic with Boston continued, though burdened with a tax which produced an annual revenue of twelve thousand dollars, an enormous burden for the petty commerce and the few inhabitants of that day. Nor was this all : the traders were exposed to so much violence and harshness from Miller, that they were with difficulty persuaded not to abandon the country.

The planters of Albemarle were men who had been led to the choice of their residence from a hatred of restraint, and had lost themselves among the woods in search of independence. They were restless and turbulent in their imperfect submission to a government imposed on them from abroad ; the administration of the colony was firm, humane, and tranquil, when they were left to take care of themselves. Any government but one of their own institution was hard to be borne.

The attempt at enforcing the navigation acts hastened an insurrection, which was fostered by the refugees from Virginia and the New England men ; and which, having been the effect of deliberate contrivance, was justified by the first American manifesto. Excessive taxation, an abridgment of political liberty by the change in the form of government, with the "denial of a free election of an assembly," and the unwise interruption of the natural channels of commerce, were the threefold grievances of the colony. Its leader in the insurrection was John Culpepper, one of those "very ill men" who loved popular liberty, and whom

the royalists of that day denounced as having merited "hanging, for endeavoring to set the poor people to plunder the rich." One of the counsellors joined in the rebellion; the rest, with Miller, were imprisoned; "that thereby the country may have a free parliament, and may send home their grievances." Having deposed and imprisoned the president and the deputies of the proprietaries, and set at nought the acts of parliament, the people recovered from anarchy, tranquilly organized a government, and established courts of justice. The insurrection was a deliberate rising of the people against the pretensions of the proprietaries and the laws of navigation. Eastchurch arrived in Virginia; but his commission and authority were derided; and he himself was kept out by force of arms; while the insurgents, among whom was George Durant, the oldest land-holder in Albemarle, having completed their institutions, sent Culpepper and another to England to negotiate a compromise. It proves in Culpepper a conviction of his own rectitude that he did not hesitate to accept the trust.

But the late president and his fellow-sufferers, having escaped from confinement in Carolina, appeared in England with adverse complaints. To a struggle between the planters and the proprietaries, the English public would have been indifferent; but Miller presented himself as the champion of the navigation acts, and enlisted in his favor the jealous anger of the mercantile cities. Culpepper, just as he was embarking for America, was taken into custody, and his interference with the collecting of duties, which he was charged with embezzling, and which there is no reason to believe he had applied to other than public purposes, stimulated a prosecution; while his opposition to the proprietaries was held to justify an indictment for an act of high treason, committed without the realm.

A statute of Henry VIII. was the authority for arraigning a colonist before an English jury, an act of tyranny against which Culpepper vainly protested, claiming "to be tried in Carolina, where the offence was committed." "Let no favor be shown him," said Lauderdale and the lords of

June. the plantations. But, when he was brought up for trial, Shaftesbury, who at that time was in the zenith of popularity, courted every form of popular influence, and penetrated the injustice of the accusation, appeared in his defence and procured his acquittal. The insurrection in Carolina was excused by the verdict of an English jury.

The proprietaries had for the motive of their conduct the love of gain; a violent government would have been too costly and unproductive an enterprise; avarice, therefore, compelled moderation; and a compromise was offered.

1679. 1680. But a compromise was the confession of weakness.

It was a natural expedient to send one of the proprietaries themselves to look after the interests of the company; and Seth Sothel, who had purchased the rights of Lord Clarendon, was selected for the purpose. But Sothel, on his voyage, was taken captive by the Algerines.

1679 to 1682. Meantime, the temporary government of Carolina, under Harvey, Jenkins, and Wilkinson, had been abandoned, or intrusted by the proprietaries to the friends of the insurgents. I find the name of Robert

Holden, Culpepper's associate and colleague, as receiver-general; while "the traitor, George Durant," quietly discharged the duty of a judge. "Settle order amongst yourselves," wrote the proprietaries; and order had already been settled. Would the disciples of Fox

1681. 1680. July 31. subscribe to the authority of the proprietaries? "Yes," they replied, "with heart and hand, to the best of our capacities and understandings, so far as is consonant with God's glory and the advancement of his blessed truth;" and the restricted promise was accepted.

1681. An act of amnesty, on easy conditions, was adopted; but the feeling of personal independence, and the nature of life in the New World, were firmer guarantees of security than all promises of pardon.

It is said that the popular administration did not wholly refrain from persecuting the few royalists in the province; but, if complaints were made, no act of injustice appears to have required the rebuke of the proprietaries or the

censure of the sovereign. Sothel, on reaching the colony, found tranquillity established. His arrival changed the scene.

Sothel was of the same class of governors with Cranfield of New Hampshire. He was one of the eight proprietaries, and had accepted the government in the hope of acquiring a fortune. Many colonial governors displayed rapacity and extortion towards the people; Sothel cheated his associates, as well as plundered the colonists. To the latter he could not be acceptable, for it was his duty to establish the constitutions and enforce the navigation acts. To introduce the constitutions was impossible, unless he could transform a log cabin into a baronial castle, a negro slave into a herd of leet-men. And how could one man, without soldiers, and without a vessel of war, enforce the navigation acts? Having neither the views nor the qualities of a statesman, Sothel had no higher purpose than to satiate his sordid passions; and, like so many others, employed his power to gratify his covetousness, by exacting unjust fees or by engrossing traffic with the Indians. His object was money; he valued his office as the means of gaining it. That the charges against him are vague, extending in no case to loss of life or to any specific act of cruelty, seems to prove that his avarice was not singularly exorbitant. Had he done much more than practise the usual arts of exaction with which nearly every royal province was becoming familiar? But the people of North Carolina, already experienced in rebellion, having borne with him about five years, at length deposed him without bloodshed, and appealed once more to the proprietaries. It is conclusive proof that Sothel had committed no acts of wanton wickedness, that he preferred a request to submit his case to an assembly; fearing the colonists, whom he had pillaged, less than the men whom he had betrayed. His request was granted; and the colony condemned him to a twelve months' exile and a perpetual incapacity for the government.

Here was a double grief to the proprietaries; the rapacity of Sothel was a breach of trust, the judgment of the

assembly an ominous usurpation. The planters of North Carolina recovered tranquillity so soon as they escaped the misrule from abroad ; and, sure of amnesty, esteemed themselves the happiest people on earth.. They loved the pure air and clear skies of their "summer land." Careless of religious sects, or colleges, or lawyers, or absolute laws, they possessed liberty of conscience and personal independence, freedom of the forest and of the river. From almost every homestead they enjoyed a noble prospect of spacious rivers, of pleasant meadows, enamelled with flowers ; of primeval forests, wrapped in jasmines and honeysuckles. For them the wild bee stored its honey in hollow trees ; for them unnumbered swine fattened on the fruits of the forest ; for them cattle multiplied on the pleasant savannas. What though Europe was rocked to its centre by commotions ? What though England was changing its constitution ? Should the planter of Albemarle trouble himself for Holland or France ? for James II. or William of Orange ? for a popish party or a high church party ? Almost all the American colonies were chiefly planted by those to whom the uniformities of European life were intolerable ; North Carolina was planted by men to whom the restraints of other colonies were too severe. They were scattered in lonely granges. There was neither city nor township ; there was hardly even a hamlet, or one house within sight of another ; nor were there roads, except as the paths from house to house were distinguished by notches in the trees. But the settlers were gentle in their tempers, enemies to violence and bloodshed. Not all their successive revolutions had kindled in them vindictive passions ; freedom was enjoyed without anxiety as without guarantees ; the charities of life were scattered at their feet ; and the spirit of humanity maintained its influence in the paradise of Quakers.

## CHAPTER XVIII.

## FIRST SETTLEMENTS IN SOUTH CAROLINA.

Of South Carolina, the first settlement was founded by the proprietaries, and resembled in its origin an investment of capital by a company of land-jobbers, who furnished the emigrants with the means of embarking for America, established on its shores their own commercial agent, and undertook for themselves the management of all commercial transactions. But success attended neither the government which they instituted, nor the industry which they fostered. Self-government, in private labors and in public administration, alone possesses the elasticity which can have due reference to the materials of society, and adapt itself to every emergency and condition. South Carolina was a scene of turbulence till the constitutions were abandoned; and industry was unproductive till the colonists despised patronage and relied on themselves.

In January, 1670, more than a month before the <sup>1670.</sup> revised model was signed, a considerable number of <sup>Jan.</sup> emigrants set sail for Carolina, which, both from climate and soil, was celebrated in advance as "the beauty and envy of North America." They were conducted by Joseph West, as commercial agent for the proprietaries; and by William Sayle, who was probably a Presbyterian, and, having more than twenty years before made himself known as leader in an attempt to plant the isles of the Gulf of Florida, was now constituted a proprietary governor, with jurisdiction extending as far north as Cape Carteret, as far south as the Spaniards would tolerate. Having touched at Ireland and Barbados, the ships which bore the company entered the well-known waters where the fleet of Ribault had anchored, and examined the site where the Huguenots had engraved the lilies of France and erected the fortress

of Carolina. But the vicinity of Beaufort was not destined to harbor the first colony of the English; the emigrants, after short delay, sailed into Ashley River, and on "the first high land," in a spot that seemed "convenient for tillage and pasturing," the three ship-loads of emigrants, who as yet formed the whole people of South Carolina, selected their resting-place and began their first town. Of this town, every log-house has vanished, and its site is absorbed in a plantation. Yet, few as were the settlers, no immediate danger was apprehended from the natives; epidemic sickness and sanguinary wars had swept away the ancient tribes, and left the neighboring coasts almost a desert.

The emigrants had hardly landed, before they instituted a government on the basis of liberty. A copy of the original fundamental constitutions, which had no article establishing the church of England, had been furnished them, duly signed and sealed; but it was indeed impossible "to execute the grand model." As easily might trees have been turned into cathedrals, or castles, at a word, erected in those solitary groves on the savannas, that resembled the parks in England. A parliamentary convention was held; five members of the grand council were elected to act with five whom the proprietaries had appointed; the whole body possessed a veto on the executive, and, with the governor and twenty delegates, who were now elected by the people, constituted the legislature of the province. Representative government struck root from the beginning, and continued to be cherished. John Locke, as well as Sir John Yeamans

and James Carteret, was created a landgrave. In 1671, the revised copy of the model was sent over,

with a set of rules and instructions. But Shaftesbury misjudged; there was already a people in South Carolina; and, if the aristocratic council acknowledged the validity of the constitutions, they were firmly resisted by the popular representatives. The commonwealth, from its organization, was distracted by a political feud between the proprietaries and the people; the friends of the high church, always a minority, favored the former, while all classes of dissenters united with the latter.

Every early settlement is necessarily attended with great privations; the planting of Carolina did not encounter unusual hardships. The colony was at one moment so disheartened as to meditate desertion; but the timely arrival of supplies scattered the clouds of despondency. The Indians, though few, were unfriendly; and it was with arms at hand that the emigrants gathered oysters, or swept the rivers, or toiled at building. The labors of agriculture in the sultry clime were appalling to Englishmen; neither did the culture of European grains promise to be successful; but extreme distress did not ensue; and the proprietaries showed no intention of abandoning their plantation.

The first site for a town had been chosen without regard to commerce. The point between the two rivers, to which the names of Shaftesbury were given, soon attracted attention; those who had purchased grants there, desirous of obtaining neighbors, willingly offered to surrender one half of their land as "commons of pasture." The offer was in part refused; but the neck of land then called Oyster Point, soon to become a village named from the reigning king, and, after more than a century, incorporated as the city of Charleston, immediately gained a few inhabitants; and on the spot where opulence now crowds the wharfs of the most prosperous mart on our southern seaboard, among ancient groves that swept down to the rivers' banks, and were covered in spring with the yellow jasmine, it began with the cabins of graziers. Long afterwards, the splendid vegetation which environs Charleston, especially the pine, and cedar, and cypress trees along the broad road which is now Meeting Street, delighted the observer by its perpetual verdure. The settlement, though for some years it struggled against an unhealthy climate, steadily increased; and to its influence is in some degree to be attributed the love of letters, the desire of institutions for education, and the peculiar character for which South Carolina was afterwards distinguished.

The institutions of Carolina were shaped by the character

of the emigration that began to thong to her soil.

1671. The proprietaries continued to send emigrants, who were tempted by the offer of land at an easy quit-rent. One hundred and fifty acres were granted for "every able man-servant." That this promise might not be confined to white men, Ashley, Carteret, and Colleton wrote in <sup>1670.</sup> ~~Nov. 28.~~ November, 1670: "We grant one hundred and fifty acres of land for every able man-servant; in that we mean negroes as well as Christians." From Barbados 1671. arrived Sir John Yeamans in 1671, with African slaves.

The institution of negro slavery is coeval with the first plantations on Ashley River. Of the original thirteen states, South Carolina alone was from its cradle essentially a planting state with slave labor. In Maryland, in Virginia, the custom of employing indented servants long prevailed; and the class of white laborers was always numerous. It was from the first observed that the climate of South Carolina was more congenial to the African than that "of the more northern colonies;" and it was the great object of the emigrant "to buy negro slaves, without which," adds Wilson, "a planter can never do any great matter." Every one of the colonies received slaves from Africa within its borders; the Dutch merchants, who engaged in planting New York, were largely interested in the slave-trade, and covenanted to furnish emigrants to that colony with all the negroes they might desire. In South Carolina, the labor of felling the forests, of tilling the soil, was avoided by the white man; climate favored the purposes of commercial avarice; and the negro race was multiplied so rapidly by importations that, in a few years, we are told, the blacks were to the whites in the proportion of twenty-two to twelve,—a proportion that had no parallel north of the West Indies.

1671. The changes that were taking place on the banks of the Hudson had excited discontent; the rumor of wealth to be derived from the fertility of the south cherished the desire of emigration; and, almost within a year from the arrival of the first fleet in Ashley River, two ships came with Dutch emigrants from New York, and were followed by others of their countrymen from Holland.

In April, 1672, all previous parliaments and parliamentary conventions were dissolved; for the colonists, now rapidly increasing, demanded "a new parliament." Such was the government which South Carolina instituted for herself; it did not deem it possible to conform more closely to the constitutions, though the proprietaries indulged the vision of realizing their introduction.

Imagination already regarded Carolina as the chosen spot for the culture of the olive; and, in the region where flowers bloom every month in the year, forests of orange-trees were to supplant the groves of cedar; silkworms to be fed from plantations of mulberries; and choicest wines to be ripened under the genial influences of a nearly tropical sun. For this end, Charles II., with an almost solitary instance of munificence towards a colony, provided at his own expense two small vessels, to transport to Carolina a few foreign Protestants, who might there domesticate the productions of the south of Europe.

From England emigrations were considerable. The character of the proprietaries was a sufficient invitation to impoverished members of the church of England. Even Shaftesbury, when he was committed to the Tower, desired leave to withdraw to Carolina.

Nor did churchmen alone emigrate. The promise of equal immunities attracted many dissenters to the glowing clime of Carolina, carrying with them intelligence, industry, and sobriety. A contemporary historian commemo- rates with singular praise the company of dissenters from Somersetshire, who were conducted to Charles-ton by Joseph Blake, brother to the gallant admiral so celebrated for naval genius and love of country. Blake was already advanced in life; but he could not endure present oppression, and feared still greater evils from a popish successor; and he devoted to the advancement of emigration all the fortune which he had inherited as the fruits of his brother's victories. Thus the wealth of New Spain assisted to people Carolina.

A colony of Scotch-Irish, lured by the fame of the fer-

tility of the south, were received with a hearty welcome. The condition of Scotland compelled its inhabitants to seek peace by abandoning their native country. Just 1683. after the death of Shaftesbury, a scheme, which had been concerted during the tyranny of Lauderdale, was revived. Thirty-six noblemen and gentlemen had entered into an association for planting a colony in the New World; their agents had contracted with the patentees of South Carolina for a large district of land, where Scottish exiles for religion might enjoy freedom of faith and a government of their own. Yet the design was never completely executed. A gleam of hope of a successful revolution in England led to a conspiracy for the elevation of Monmouth. The conspiracy was matured in London, under pretence of favoring emigration to America; its ill success involved its authors in danger, and brought Russell and Sydney to the scaffold. It was therefore with but a small colony that

1684. the Presbyterian Lord Cardross, many of whose friends had suffered imprisonment, the rack, and death itself, and who had himself been persecuted under Lauderdale, set sail for Carolina. But even there the ten families of outcasts found no peace. They planted themselves at Port Royal; the colony of Ashley River exercised over them a jurisdiction to which they reluctantly submitted; Cardross returned to Europe, where he rendered service in the approaching revolution; and the Spaniards, taking umbrage at a plantation established on ground which

1686. they claimed as a dependency of St. Augustine, invaded the frontier settlement, and laid it entirely waste. Of the unhappy emigrants, some found their way back to Scotland; some mingled with the earlier planters of Carolina.

More than a hundred years had elapsed since Coligny, with the sanction of the French monarch, selected the southern regions of the United States as the residence of Huguenots. The realization of that design, in defiance of the Bourbons, is the most remarkable incident in the early history of South Carolina, and was the result of a persecution which not only gave a great addition to the intelligence

and moral worth of the American colonies, but, for Europe, hastened the revolution in the institutions of the age.

John Calvin, by birth a Frenchman, was to France the apostle of the Reformation; but his faith had been feared as the creed of republicanism; his party had been pursued as the sect of rebellion; and it was only by force of arms that the Huguenots had obtained a conditional toleration. Even the edict of Nantes placed their security not on the acknowledgment of the permanent principle of legislative justice, but on a compromise between contending parties. It was but a confirmation of privileges which had been extorted from the predecessors of Henry IV. And yet it was the harbinger of religious peace; so long as the edict of Nantes was honestly respected, the Huguenots of Languedoc were as tranquil as the Lutherans of Alsace. But their tranquillity invited from their enemies a renewal of attacks; no longer a powerful faction, they were oppressed with rigor; having ceased to be feared, they were exposed to persecution.

When Louis XIV. approached the borders of age, he was troubled by remorse; the weakness of superstition succeeded that of indulgence; and the flattery of bigots, artfully employed for their own selfish purposes, led the monarch to seek, in making proselytes to the church, a new method of gaining glory, and an atonement for the voluptuous profligacy of his life. Not naturally cruel, he was an easy dupe of those in whom he most confided,—of priests, and of a woman. The daughter of an adventurer,—for nearly ten years of childhood a resident in the West Indies, educated a Calvinist, but early converted to the Roman faith,—Madame de Maintenon had, in the house of a burlesque poet, learned the art of conversation, and, in the intimate society of Ninon de l'Enclos, had studied the mysteries of the passions. Of a clear and penetrating mind, of a calculating judgment, which her calm imagination could not lead astray, she never forgot her self-possession in a generous transport, and was never mastered even by the passions which she indulged. Already advanced in life when she began to attract the attention of the king, whose char-

acter she profoundly understood, she sought to intrall his mind by the influences of religion; and, becoming herself devout or feigning to be so, always modest and discreet, she knew how to awaken in him compunctions which she alone could tranquillize, and subject his mind to her sway by substituting the sentiment of devotion for the passion of love. The conversion of the Huguenots was to excuse the sins of his earlier years. They, like herself, were to become reconciled to the church, yet not by methods of violence. Creeds were to melt away in the sunshine of favor, and proselytes to be won by appeals to interest.

Huguenots were therefore to be employed no longer in public office; they were, as far as possible, excluded from the guilds of tradesmen and mechanics; and a Calvinist might not marry a Roman Catholic wife. Direct bribery was also employed; converts were purchased; and, as it seemed not unreasonable that, where money is paid, a bargain should be fulfilled, severe laws punished a relapse.

The multitude may always defend itself against the pride of arrogance, by claiming for itself a collective wisdom superior to that of the wisest individual. The same is true of the moral qualities; there exists in the many a force of will which no violence can break, a firmness of conviction which no corruption can undermine. The first methods of conversion were fruitless. Strange human nature! In men who had taken a bribe for conversion, there often remained a principle strong enough to sustain them in returning to their first opinions, and in suffering for them.

Proselytism next invaded the most sacred rights of human nature, and children of seven years old were invited to abjure the faith of their fathers. The Huguenots began to emigrate; for their industry and skill made them welcome in every Protestant country; and Louis, desiring to convert, not to expel, his subjects, forbade emigration under penalty of the galleys. The ministers of the Calvinists were now tormented, their chapels razed, their funds for charitable purposes confiscated, their schools shut up, their civil officers disfranchised. Did cruel oppression provoke disobedience? The rack and the wheel gave to Huguenots their martyrs.

At court, the triumph of the widow of Scarron, aided by the confessors, seemed complete ; but Louvois, the ambitious minister of war, could not brook this superior influence ; and, since the conversion of Huguenots was the path to the monarch's favor, he resolved to enlist the military resources of France in the service, and to "dragoon" the Calvinists into a reverence for the church. Instead of missionaries, soldiers were now sent into Calvinistic districts, to be quartered in Protestant families, and to torment them into conversion. Meantime, emigration was a felony, and the frontiers were carefully guarded to prevent it. The hounds were let loose on game shut up in a close park. Here was an invention which multiplied tyranny indefinitely, and lodged its lustful and ferocious passions within the recesses of every family.

At length, the edict of Nantes was formally revoked. Calvinists might no longer preach in churches or over the ruins of churches ; all public worship was forbidden them ; and the chancellor Le Tellier could shout aloud, "Now, Lord, lettest thou thy servant depart in peace ;" even Bossuet, in rhetoric that reflects disgrace on his understanding and heart, could declare the total overthrow of heresy ; while Louis XIV. believed his glory perfected by the return of all dissenters to the Roman church.

But the extremity of danger inspired even the wavering with courage. They were exposed, without defence, to the fury of an unbridled soldiery, whom hatred of heretics had steeled against humanity. Property was put in danger of being plundered ; religious books were burnt ; children torn from their parents ; faithful ministers, who would not abandon their flocks, broken on the wheel. Men were dragged to the altars, to be tortured into a denial of the faith of their fathers ; and a relapse was punished with extreme rigor. The approach of death removes the fear of persecution : bigotry invented a new terror ; the bodies of those who died rejecting the sacraments were thrown out to wolves and dogs. The mean-spirited, who changed their religion, were endowed by law with the entire property of

their family. The dying father was made to choose between wronging his conscience or beggaring his offspring. All children were ordered to be taken away from Protestant parents; but that law it was impossible to enforce. It became a study to invent torments, dolorous but not mortal; to inflict all the pain the human body could endure, and not die. What need of recounting the horrid enormities committed by troops whose commanders had been ordered "to use the utmost rigor towards those who would not adopt the creed of the king? to push to an extremity the vain-glorious fools who delayed their conversion to the last"? What need of describing the stripes, the roastings by slow fires, the plunging into wells, the gashes from knives, the wounds from red-hot pincers, and other cruelties employed by men who were only forbidden to ravish or to kill? The loss of lives cannot be computed. How many thousands of men, how many thousands of children and women, perished in the attempt to escape, who can tell? An historian has asserted that ten thousand perished at the stake, or on the gibbet and the wheel.

But truth enjoys serenely her own immortality; and opinion, which always yields to a clearer conviction, laughs violence to scorn. The Calvinists preserved their faith over the ashes of their churches and the bodies of their murdered ministers. The power of a brutal soldiery was defied by whole companies of faithful men, that still assembled to sing their psalms; and from the country and the city, from the comfortable homes of wealthy merchants, from the abodes of a humbler peasantry, from the workshops of artisans, hundreds of thousands of men rose up, as with one heart, and bore testimony to the indefeasible, irresistible right to freedom of mind.

Every wise government was eager to offer a refuge to the men who would carry to other countries the arts, the industrial skill, and the wealth of France. Emigrant Huguenots put a new aspect on the north of Germany, where they constituted towns and sections of cities, introducing manufactures before unknown. A suburb of London was filled with French mechanics; the Prince of Orange gained

entire regiments of soldiers, as brave as those whom Cromwell led to victory ; a colony of them reached the Cape of Good Hope. In our America they were welcome everywhere. The religious sympathies of New England were awakened ; did any arrive in poverty, having barely escaped with life, the towns of Massachusetts contributed liberally to their support, and provided them with lands. Others repaired to New York ; but the warmer climate was more inviting to the exiles of Languedoc, and South Carolina became the chief resort of the Huguenots. The attempt to emigrate was by the law of France a felony ; yet, in spite of every precaution of the police, five hundred thousand souls escaped from their country.

“ We quitted home by night, leaving the soldiers in 1685. their beds, and abandoning the house with its furniture,” wrote Judith, the young wife of Pierre Manigault. “ We contrived to hide ourselves for ten days at Romans, in Dauphiny, while a search was made for us ; but our faithful hostess would not betray us.” Nor could they escape to the sea-side except by a circuitous journey through Germany and Holland, and thence to England, in the depths of winter. “ Having embarked at London, we were sadly off. The spotted fever appeared on board the vessel, and many died of the disease ; among these, our aged mother. We touched at Bermuda, where the vessel was seized. Our money was all spent ; with great difficulty we procured a passage in another vessel. After our arrival in Carolina, we suffered every kind of evil. In eighteen months, our eldest brother, unaccustomed to the hard labor which we were obliged to undergo, died of a fever. Since leaving France, we had experienced every kind of affliction, disease, pestilence, famine, poverty, hard labor. I have been for six months without tasting bread, working the ground like a slave ; and I have passed three or four years without having it when I wanted it. And yet,” adds the excellent woman, “ God has done great things for us, in enabling us to bear up under so many trials.”

This family was but one of many that found a shelter in Carolina, the general asylum of the Calvinist refugees.

Escaping from a kingdom where the profession of their religion was a felony, where their estates were liable to be confiscated in favor of the apostate, where the preaching of their faith was a crime to be expiated on the wheel, where their children might be torn from them to be subjected to the nearest Catholic relation, the fugitives from Languedoc on the Mediterranean, from Rochelle, and Saintange; and Bordeaux, the provinces on the Bay of Biscay, from St. Quentin, Poictiers, and the beautiful valley of Tours, from St. Lo and Dieppe, men who had the virtues of the English Puritans without their bigotry, came to the land to which Shaftesbury had invited the believer of every creed. From a realm whose king, in wanton bigotry, had driven half a million of its best citizens into exile, they came to the hospitable refuge of the oppressed; where superstition and fanaticism, infidelity and faith, cold speculation and animated zeal, were alike admitted without question, and where the fires of religious persecution were never to be kindled. There they obtained an assignment of lands, and soon had tenements. Their church was in Charleston; and on every Lord's Day, gathering from their plantations upon the banks of the Cooper, and taking advantage of the ebb and flow of the tide, they might all be seen, the parents with their children, whom no bigot could now wrest from them, making their way in light skiffs to the flourishing village at the confluence of the rivers.

Other Huguenot emigrants established themselves on the south bank of the Santee, in a region which has since been celebrated for affluence and refined hospitality.

The United States are full of monuments of the emigrations from France. When the struggle for independence arrived, the son of Judith Manigault intrusted the vast fortune he had acquired to the service of the country that had adopted his mother. The hall in Boston, where the eloquence of New England rocked the infant spirit of independence, was the gift of the son of a Huguenot. When the treaty of Paris for the independence of our country was framing, the grandson of a Huguenot, acquainted from childhood with the wrongs of his ancestors,

would not allow his jealousies of France to be lulled, and did his part towards stretching the boundary of the states to the Mississippi. On our north-eastern frontier state, the fame of the oldest college bears witness to the wise liberality of a descendant of the Huguenots. The children of the Calvinists of France have reason to respect the memory of their ancestors.

It has been usual to relate that religious bigotry denied to the Huguenot emigrants immediate denization. If full hospitality was for a season withheld, the delay grew out of a controversy in which all Carolinians had a common interest, and the privileges of citizenship <sup>1691.</sup> <sub>1697.</sub> were conceded so soon as it could be done by Carolinians themselves. It had not yet been determined with whom the power of naturalizing foreigners resided, nor how Carolina should be governed. The great mass of the people were intent on framing their own institutions ; and collisions with the lords proprietors long kept the government in confusion.

For the proprietary power was essentially weak. The company of courtiers, which became no more than a partnership of speculators in colonial lands, had not sufficient force to resist foreign violence or assert domestic authority. It could derive no strength but from the colonists or from the crown. But the colonists connected self-protection with the right of self-government ; and the crown would not incur expense, except on a surrender of the jurisdiction. The proprietary government, having its organ in the council, could prolong its existence only by concessions, and was destined from its inherent weakness to be overthrown by the commons.

At first, the proprietaries acquiesced in a government which had little reference to the constitutions. <sup>1670.</sup> The first governor had sunk under the climate and the hardships of founding a colony. His successor, Sir John Yeamans, was a sordid calculator, bent on acquiring a fortune. He encouraged expense, and enriched himself, without gaining respect or hatred. "It must be a bad soil," said his weary employers, "that <sup>1671.</sup> <sub>1674.</sub>

will not maintain industrious men, or we must be very silly that would maintain the idle." If they continued their outlays, it was in hopes of seeing vineyards and olive-groves and plantations established ; they refused supplies of cattle, and desired returns in compensation for their expenditures.

The moderation and good sense of West were able <sup>1674 to</sup> <sub>1683.</sub> to preserve tranquillity for about nine years ; but the lords, who had first purchased his services by the grant of all their merchandise and debts in Carolina, in the end dismissed him from office, on the charge that he favored the popular party.

The continued struggles with the proprietaries hastened the emancipation of the people from their rule ; but the praise of having never been in the wrong cannot be awarded to the colonists. The latter claimed the right of weakening the neighboring Indian tribes by a partisan warfare, and a sale of the captives into West Indian bondage ; their antagonists demanded that the treaty of peace with the natives should be preserved. Again, the proprietaries offered some favorable modifications of the constitutions ; the colonists respected the modifications no more than the original laws. A rapid change of governors augmented the confusion. There was no harmony of interests between the lords paramount and their tenants, or of authority between the executive and the popular assembly. As in other colonies south of the Potomac, colonial legislation did not favor the collection of debts that had been contracted elsewhere ; the proprietaries demanded a rigid conformity to the cruel and intolerant method of the English courts. It had been usual to hold the polls for elections at Charleston only ; as population extended, the proprietaries ordered an apportionment of the representation ; but Carolina would not allow districts to be carved out and representation to be apportioned from abroad ; and the useful reformation could not be adopted till it was demanded and effected by the people themselves.

England had always favored its merchants in the invasion of the Spanish commercial monopoly ; had sometimes pro-

tected pirates, and Charles II. had knighted a freebooter. The political relations of the pirate and the contraband trader underwent a corresponding change. But men's habits do not change so easily ; and in Carolina, especially after Port Royal had been laid waste by the Spaniards, there were not wanting those who regarded the buccaneers as their natural allies against a common enemy, and thus opened one more issue with the proprietaries.

The first treaty relating to America between Spain and England was ratified in 1667, and made more general in 1670. Before that time Spain had claimed not the territory of the Carolinas only, but that of Virginia, New England, in short, of all North America. By this convention she recognised as English the colonies which England then possessed ; but the boundaries in the south and west were not determined.

When the commerce of South Carolina had so increased that a collector of plantation duties was appointed, a new struggle arose. The palatine court, careful not to offend the king, who, nevertheless, was not diverted from the design of annulling their charter by a process of law, gave orders that the acts of navigation should be enforced. The colonists, who had made themselves independent of the proprietaries in fact, esteemed themselves independent of parliament of right. Here, as everywhere, the acts were resisted as at war with natural equity, and as an infringement of the charter.

The pregnant cause of dissensions in Carolina could not be removed till the question of powers should be definitively settled. The proprietaries were willing to believe that the cause existed in the want of dignity and character in the governor. That affairs might be more firmly established, James Colleton, a brother of a proprietary, was appointed governor, with the rank of landgrave and an endowment of forty-eight thousand acres of land ; but neither his relationship, nor his rank, nor his reputation, nor his office, nor his acres, could procure for him obedience, because the actual relations between the contending parties were in no respect changed. When Colleton met the colonial

1686. Nov

parliament which had been elected before his arrival, a majority refused to acknowledge the binding force of the constitutions; by a violent act of power, Colleton, like Cromwell in a similar instance in English history, excluded the refractory members from the parliament. These, in their turn, protested against any measures which might be adopted by the remaining minority.

A new parliament was still more intractable; and 1687. the "standing laws" which they adopted were negatived by the palatine court.

From questions of political liberty, the strife between the parties extended to all their relations. When Colleton endeavored to collect quit-rents not only on cultivated fields, but on wild lands, direct insubordination ensued; and the assembly, imprisoning the secretary of the province, and seizing the records, defied the governor and his patrons.

Colleton resolved on one last desperate effort, 1689 and, pretending danger from Indians or Spaniards, called out the militia, and declared martial law. But who were to execute martial law? The militia were the people, and there were no other troops. Colleton was in a more hopeless condition than ever; for the assembly had no doubt of its duty to protect the country against a military despotism. The English Revolution of 1688 was therefore imitated on the banks of the Ashley and 1690. Cooper. Soon after William and Mary were proclaimed, a meeting of the representatives of South Carolina disfranchised Colleton, and banished him from the province.

## CHAPTER XIX.

## VIRGINIA AFTER THE RESTORATION.

FOR more than eight years, from 1652 to 1660, "THE PEOPLE OF VIRGINIA" had governed themselves. Tranquillity and a rapid increase of population promised the extension of its borders; and colonial life was sweetened by the enjoyment of equal franchises. No trace of established privilege appeared in its code or its government; in its forms and in its legislation, Virginia was a representative democracy; so jealous of a landed aristocracy that it insisted on universality of suffrage; so hostile to the influence of commercial wealth that it would not tolerate the "mercenary" ministers of the law; so considerate for religious freedom that each parish was left to take care of itself. Every officer was, directly or indirectly, chosen by the people.

The power of the people naturally grew out of the character of the early settlers, who were, most of them, adventurers, bringing to the New World no wealth but enterprise, no rank but that of manhood, no privileges but those of Englishmen. The principle of the English law which grants real estate to the eldest born was respected; but generations of Virginians had hardly as yet succeeded each other; the rule had produced no effect upon society, and, from the beginning, had been modified in many counties by the custom of gavelkind. Virginia had no need to imitate those great legislative reforms of the Long Parliament, because her happier soil was free from the burdens of forest laws and military tenures, courts of wards, and star-chambers. The tendency towards a multiplication of religious sects began to be perceptible under the freedom of a popular government. In its care for a regular succession of representative assemblies, Virginia exceeded the jealous friends

of republican liberty in England ; there triennial parliaments had been established by law ; the Virginians, imitating the "act of 1640 for preventing inconveniences happening by the long intermission of parliament," claimed the privilege of a biennial election of their legislators. In addition to the strength derived from the natural character of the emigrants, from the absence of feudal institutions, from the entire absence of the excessive refinements of legal erudition, and from the constitution, legislation, and elective franchises of the colonists, a new and undefined increase was gained by the universal prevalence of the spirit of personal independence. An instinctive aversion to too much government was always a trait of southern character, expressed in the solitary manner of settling the country, in the absence of municipal governments, in the indisposition of the scattered inhabitants to engage in commerce, to collect in towns, or to associate in townships under corporate powers. As a consequence, there was little commercial industry or accumulation of commercial wealth. The exchanges were made almost entirely—and it continued so for more than a century—by factors of foreign merchants. Thus the influence of wealth, under the modern form of stocks and dealings in money, was always inconsiderable ; and men were so widely scattered that far the smallest number <sup>1652 to 1660.</sup> were within reach of the direct influence of the established church or of government. In Virginia, except in matters that related to foreign commerce, a man's own will went far towards being his law.

Yet the seeds of an aristocracy existed ; and there was already a disposition to obtain for it the sanction of colonial legislation. Unlike Massachusetts, Virginia was a continuation of English society. Its history is the development of the genuine principle of English liberty under other conditions than in England. The first colonists were not fugitives from persecution ; they came, rather, under the auspices of the nobility, the church, and the mercantile interests of England ; they brought with them an attachment to monarchy, a reverence for the Anglican church, a love for England and English institutions. Their minds had

never been disciplined into an antipathy to feudalism ; their creed had never been shaken by the progress of skepticism ; no new ideas of natural rights had as yet inclined them to "faction." The Anglican church was therefore, without repugnance, sanctioned as the religion of the state ; and a religion established by law always favors an upper class ; for it seeks support not in conviction only, but in vested rights. The rise of the plebeian sects, which swarmed in England, was, for the present at least, prevented ; and unity of worship with few exceptions continued for about a century from the settlement of Jamestown. The aristocracy of Virginia was, from its origin, exclusively a landed aristocracy ; its germ lay in the manner in which rights to the soil had been obtained. For every person whom a planter should, at his own charge, transport into Virginia, he could claim fifty acres of land ; and thus a body of large proprietors had existed from the infancy of the settlement. These vast possessions were often an inheritance for the eldest born.

The power of the rising aristocracy was still further increased by the deplorable want of the means of popular education in Virginia. The great mass of the rising generation could receive little literary culture ; its higher degrees were confined to a small number of favored emigrants. Many of the royalists who came over after the death of Charles I. brought to the colony the breeding that belonged to the English gentry of that day ; and the direction of affairs fell into their hands. The instinct of liberty may create popular institutions ; they cannot be preserved except by the conscious intelligence of the people.

But the distinctions in society were rendered more marked by the character of the population of Virginia. Many had reached the shores of Virginia as servants ; doomed, according to the severe laws of that age, to a temporary bondage. Some of them, even, were convicts ; but it must be remembered the crimes of which they were convicted were chiefly political. The number transported to Virginia for social crimes was never considerable ; scarcely enough to sustain the sentiment of pride in its scorn of the

laboring population ; certainly not enough to affect its character. Yet the division of society into two classes was marked in a degree unequalled in any northern colony, and unmitigated by public care for education. "The almost general want of schools for their children was of most sad consideration, most of all bewailed of the parents there." "Every man," said Sir William Berkeley in 1671, "instructs his children according to his ability ;" a method which left the children of the ignorant to hopeless ignorance. "The ministers," continued Sir William, "should pray oftener and preach less. But, I thank God, there are no free schools nor printing ; and I hope we shall not have, these hundred years ; for learning has brought disobedience and heresy and sects into the world, and printing has divulged them, and libels against the best government. God keep us from both."

Servants were emancipated, when their years of servitude were ended ; and the law was designed to secure and to hasten their enfranchisement. The insurrection, which was plotted by a number of servants in 1663, had its origin in impatience of servitude and oppression. A few bondmen, soldiers of Cromwell, and probably Roundheads, were excited by their own sufferings, and by the nature of life in the wilderness, to indulge once more in vague desires for a purer church and a happier condition. From the character of the times, their passions were sustained by political fanaticism ; but the conspiracy did not extend beyond a scheme of indentured servants to anticipate the period of their freedom. The effort was the work of ignorant men, and was easily suppressed. The facility of escape compelled humane treatment of white servants, who formed one fifth of the adult population.

In 1671, the number of blacks in a population of forty thousand was estimated at two thousand ; not above two or three ships of negroes arrived in seven years. The statute of the previous year, which declares who are slaves, followed an idea, long prevalent through Christendom : "All 1670. servants, not being Christians, imported into this 1682. country by shipping, shall be slaves." In 1682 it was added : "Conversion to the Christian faith doth

not make free." The early Anglo-Saxon rule, interpreting every doubtful question in favor of liberty, declared the children of freemen to be free. Doubts arose if the offspring of an Englishman by a negro woman should be bond or free; and the rule of the Roman law prevailed over the Anglo-Saxon. The offspring followed the condition of its mother. In 1664, Maryland, by "the major vote" of its lower house, decided that "the issue of such marriages should serve thirty years." Enfranchisement of the colored population was not encouraged in Virginia; the female slave was not subject to taxation; the emancipated negress was "a titheable." 1665. "The death of a slave from extremity of correction was not accounted felony; since it cannot be presumed," such is the language of the statute, "that prepense malice, which alone makes murther felony, should induce any man to destroy his own estate." Finally, 1666. 1672. it was made lawful for "persons pursuing fugitive colored slaves to wound, or even to kill them." The master was absolute lord over the negro. The slave, and the slave's posterity, were bondmen. As property in Virginia consisted mainly of land and laborers, the increase of negro slaves was grateful to the pride and to the interests of the large landed proprietors.

The aristocracy, which was thus confirmed in its influence by the extent of its domains, by its superior intelligence, and by the character of a large part of the laboring class, aspired to the government of the country; from among them the council was selected; many of them were returned as members of the legislature; and they held commissions in the militia. The entire absence of local municipal governments led to an anomalous extension of the power of the magistrates. The justices of the peace for each county fixed the amount of county taxes, assessed and collected them, and superintended their disbursement; so that military, judicial, legislative, and executive powers were deposited in their hands.

At the restoration, two elements were contending for the mastery in the political life of Virginia; 1660.

on the one hand, there was in the Old Dominion a people; on the other, a rising aristocracy. The present decision of the contest would depend on the side to which the sovereign of the country would incline. During the few years of the interruption of monarchy in England, that sovereign had been the people of Virginia; and its mild and beneficent legislation had begun to loosen the cords of religious bigotry, to confirm equality of franchises, to foster colonial industry by freedom of traffic with the world. The restoration of monarchy took from the people of Virginia the power which was not to be recovered for more than a century, and gave to the superior class an ally in the royal government and its officers. The early history of Virginia not only illustrates the humane and ameliorating influences of popular freedom, but also presents a picture of the confusion, discontent, and carnage, which are the natural consequences of selfish legislation and a retrograde movement in the cause of liberty.

The emigrant royalists had hitherto not acted as a political party, but took advantage of peace to establish their fortunes. Their numbers were constantly increasing; their character and education procured them respect and influence; yet no collisions ensued. If one assembly had, what Massachusetts never did, submitted to Richard Cromwell; if another had elected Berkeley as governor, the power of the people still controlled legislative action. But, on the tidings of the restoration of Charles II., the fires of loyalty blazed up. Virginia shared the passionate joy of England. In the mother country, the spirit of popular liberty, contending with ancient institutions which it could not overthrow, had been productive of much calamity, and had overwhelmed the tenets of popular enfranchisement in disgust and abhorrence: in Virginia, where no such ancient abuses existed, the same spirit had been productive only of benefits. Yet to the colony England seemed a home; and the spirit of English loyalty pervaded the plantations along the Chesapeake. With the people it was a generous enthusiasm; to many of the leading men loyalty opened a career for ambition; and, with general consent, Sir William

Berkeley, assuming such powers as his royal commission bestowed, issued writs for an assembly in the name of the king. The sovereignty over itself, which Virginia had exercised so well, had come to an end.

The first assembly which was elected after the restoration was composed of landholders and <sup>1661.</sup> Cavaliers ; men in whose breasts the attachments to colonial life had not mastered the force of English usages. Of the assembly of 1654, not more than two members were elected ; of the assembly of March, 1660, of which an adjourned meeting was held in October, the last assembly elected during the interruption, only eight were re-elected to the first assembly of Charles II., and, of these eight, not more than five retained their places. New men came upon the theatre of legislation, bringing with them new principles. The restoration was, for Virginia, a political revolution.

The "first session" of the royalist assembly was in March, 1661. One of its earliest acts, <sup>Mar. 12.</sup> disfranchising a magistrate "for factious and schismatical demeanors," marks its political character ; but, as democratic institutions had tranquilly and naturally been introduced, so the changes which were now to take place proceeded from the instinct of selfishness, the hatred to popular power, the blind respect for English precedents.

Apprehensions were awakened by the establishment of the navigation act ; and the assembly, alarmed at this open violation of the natural and prescriptive "freedom" of the colony, appointed Sir William Berkeley its agent, to present its grievances and procure their redress through the favor of its monarch. The New England states, from the perpetual dread of royal interference, persevered in soliciting charters, till they were obtained ; Virginia, unhappy in her confidence, lost irrevocably the opportunity of obtaining a liberal patent.

The Ancient Dominion was equally unfortunate in the selection of its agent. Sir William Berkeley did not, even after years of experience, understand the act against which he was deputed to expostulate. We have seen that he obtained for himself and partners a dismemberment of the

territory of Virginia; for the colony he did not secure one franchise; the king employed its loyalty to its injury. At the hands of Charles II., the democratic colonies of Rhode Island and Connecticut received greater favor.

<sup>1661.</sup> For more than a year the navigation act was July 21. virtually evaded; mariners of New England, lading their vessels with tobacco, did but touch at a New England harbor on the sound, and immediately sail for the wharfs of New Amsterdam. But this remedy was partial and transient. The act of navigation could easily be executed in Virginia, because it had few ships of its own, and no foreign vessel dared to enter its ports. The unequal legislation pressed upon its interests with intense severity. The number of the purchasers of its tobacco was diminished; and the English factors, sure of their market, grew careless about the quality of their supplies. To the colonist as consumer, the price of foreign goods was enhanced; to the colonist as producer, the opportunity of a market was narrowed.

Virginia long attempted to devise a remedy against the commercial oppression of England. It was the strong exercising tyranny over the weak; there could be no remedy but independence. The burden was the more intolerable, because it produced no public revenue. It was established exclusively to favor the monopoly of the English merchant; and its avails were all abandoned to the officers to stimulate their vigilance.

Thus, while the rising aristocracy of Virginia was seeking the aid of royal influence to confirm its supremacy, the policy of the English government oppressed colonial industry so severely as to unite the province in opposition. The party which joined with the king in the desire of gaining a triumph over democratic influences was always on the point of reconciling itself with the people, and making a common cause against the tyranny of the metropolis.

<sup>1661.</sup> At the restoration, the extreme royalist party ad- quired the ascendancy in the legislature. We have seen that the assembly disfranchised "a factious and schis-

matrical magistrate ;" in the course of its long-continued sessions, it effected a radical change in the democratical features of the constitution. The committee which was appointed to reduce the laws of Virginia to a code repealed the milder laws that she had adopted when she governed herself. The English Episcopal Church became once more the religion of the state ; and though there were not ministers in above a fifth part of the parishes, so that "it was scattered in the desolate places of the wilderness without comeliness," yet the laws demanded strict conformity, and required of every one to contribute to its support. For assessing parish taxes, twelve vestrymen were now to be chosen in each parish, with power to fill all vacancies in their own body. The control in church affairs passed from the parish to a close corporation, which the parish could henceforward neither alter nor overrule. The whole liturgy was required to be thoroughly read ; no non-conformist might teach, even in private, under pain of banishment ; no reader might expound the Catechism or the Scriptures. The obsolete severity of the laws of Queen Elizabeth was revived against the Quakers ; their absence from church was made punishable by a monthly fine of twenty pounds sterling. To meet in conventicles of their own was forbidden under further penalties. A large number of Quakers was arraigned before the court as recusants. "Tender consciences," said Owen, firmly, "must obey the law of God, however they suffer." "There is no toleration for wicked consciences," was the reply of the court. The Reformation had diminished the power of the clergy by declaring marriage a civil contract, not a sacrament ; Virginia suffered no marriage to be celebrated but according to the rubric in the Book of Common Prayer.

Among the plebeian sects of Christianity, the single-minded simplicity with which the Baptists had, from their origin, asserted the enfranchisement of mind and the equal rights of the humblest classes of society, naturally won converts in America at an early day. The legislature of Virginia, assembling soon after the return of Berkeley

from a voyage that had been fruitless to the colony, declared to the world that there were scattered among the rude settlements of the Ancient Dominion "many schismatical persons, so averse to the established religion, and so filled with the new-fangled conceits of their own heretical inventions, as to refuse to have their children baptized;" and the novelty was punished by a heavy mulct. The freedom of the forests favored originality of thought; in spite of legislation, men listened to the voice within themselves

as to the highest authority; and Quakers continued  
1663. Sept. to multiply. Virginia, as if resolved to hasten the

colonization of North Carolina, sharpened her laws against all separatists, punished their meetings by heavy fines, and ordered the more affluent to pay the forfeitures of the poor. The colony that should have opened its doors wide to all the persecuted punished the ship-master that received non-conformists as passengers, and threatened such as resided in the colony with banishment. John Porter,

the burgess for Lower Norfolk, was expelled from  
Sept. 12 the assembly, "because he was well affected to the  
Quakers."

The legislature was equally friendly to the power of the crown. In every colony where Puritanism prevailed there was a uniform disposition to refuse a fixed salary to  
1658. March the royal governor. Virginia, at a time when the chief magistrate was elected by its own citizens, had voted a fixed salary for that magistrate; but the measure,

1659. March even then, was so little agreeable to the people that its next assembly repealed the law. The royalist legislature, for the purpose of well paying his majesty's officers, established a perpetual revenue by a permanent imposition on all exported tobacco; and the royal officers of Virginia, requiring no further action of an assembly for granting taxes, were placed above the influence of colonial legislation. They depended on the province neither for their appointment nor their salary; and the country was governed according to royal instructions, which did

1662. Sept. 12 indeed recognise the existence of colonial assemblies, but offered no guarantee for their continuance. The

permanent salary of the governor of Virginia, increased by a special grant from the colonial legislature, exceeded the whole annual expenditure of Connecticut; but Berkeley was dissatisfied. A thousand pounds a year would not, he used to say, "maintain the port of his place; no government of ten years' standing but has thrice as much allowed him. But I am supported by my hopes that his gracious majesty will one day consider me."

The governor and council were the highest ordinary tribunal; and these were all appointed, directly or indirectly, by the crown. Besides this, there were in each county eight unpaid justices of the peace, commissioned by the governor during his pleasure. These justices held monthly courts in their respective counties. Thus the administration of justice in the counties was in the hands of persons holding their offices at the good-will of the governor; while the governor himself and his executive council constituted the general court, and had cognizance of all sorts of causes. Was an appeal made to chancery, it was but for another hearing before the same men; and it was only for a few years longer that appeals were permitted from the general court to the assembly. The place of sheriff in each county was conferred in rotation on one of the justices for that county.

The county courts, thus independent of the people, possessed and exercised the arbitrary power of levying county taxes, which, in their amount, usually exceeded the public levy. This system proceeded so far that the commissioners of themselves levied taxes to meet their own expenses. In like manner, the self-perpetuating vestries made out their lists of tithables, and assessed taxes without regard to the consent of the parish. These private levies were unequal and oppressive; were seldom, it is said never, brought to audit, and were, in some cases at least, managed by men who combined to defraud the public.

For the organization of the courts, ancient usage could be pleaded; a series of innovations gradually effected a revolution in the system of representation. The duration of assemblies was limited by law to two years. By

the members of the first assembly, elected after the restoration for a period of two years only, the law, which limited the duration of their legislative service, and secured the benefits of frequent elections and swift responsibility, was "utterly abrogated and repealed." The legislators, on whom the people had conferred a political existence of two years, assumed to themselves, by their own act, an indefinite continuance of their powers. The parliament of England, chosen on the restoration, was not dissolved for eighteen years; the legislature of Virginia retained its authority for almost as long a period, and yielded it only to an insurrection. Meantime, "the meeting of the people, at the usual places of election," had for their object, not to elect burgesses, but to present their grievances to the burgesses of the adjourned assembly.

The wages of the burgesses were paid by the respective counties; and their constituents had possessed influence to determine both the number of burgesses to be elected and the rate of their emoluments. This method of influence was taken away by a law, which, wisely but for its coincidence with other measures, fixed both the number and the charge of the burgesses. But the rate of wages was for that age enormously burdensome, far greater than is tolerated in the wealthiest states in these days of opulence; and it was fixed by an assembly for its own members, who had usurped, as it were, a perpetuity of office. The taxes for this purpose were paid with great reluctance, and, as they amounted to about two hundred and fifty pounds of tobacco or about nine dollars, for the daily emoluments of each member, became for a new country an intolerable grievance. Discontent was increased by the favoritism which exempted councillors from the levies.

The freedom of elections was further impaired by "frequent false returns" made by the sheriffs. Against these the people had no redress, for the sheriffs were responsible neither to them nor to officers of their appointment. And how could a more pregnant cause of discontent exist in a country where the elective franchise was cherished as the dearest civil privilege?

No direct taxes were levied in those days except on polls; lands escaped taxation. The method, less arbitrary in Virginia, where property consisted chiefly in a claim to the labor of servants and slaves, than in a commercial country, or where labor is free, was yet oppressive to the less wealthy classes. The burgesses, themselves great <sup>1663.</sup> <sub>Sept. 27.</sub> landholders, resisted the reform which Berkeley had argued, of "a levy upon lands, and not upon heads," and connected the burden of the tax with the privileges of citizenship. If lands should be taxed, none but landholders should elect the legislature; and then, it was added, "the other freemen, who are the more in number, may repine to be bound to those laws they have no representations to assent to the making of. And we are so well acquainted with the temper of the people that we have reason to believe they had rather pay their tax than lose that privilege."

The jealous love for liberty was remembered when it furnished an excuse for continuing an unjust method of taxation. But the system of universal suffrage could not permanently find favor with an assembly which had given to itself an indefinite existence, and which labored to reproduce in the New World the inequalities of English legislation. It was discovered that "the usual way of chusing burgesses by the votes of all freemen" produced "tumults and disturbance." The instinct of aristocratic bigotry denied that the electors would make "choyce of persons fitly qualified for so greate a trust." The restrictions adopted by the monarchical government of England were cited as a fit precedent for English colonies; and it was enacted that "none but freeholders and housekeepers shall hereafter have a voice in the election of any burgesses." The majority of the people of Virginia were disfranchised by the act of their own representatives.

<sup>1670.</sup>  
<sub>Oct.</sub>

The great result of modern civilization is the diffusion of intelligence among the masses, and a consequent increase of their political consideration. That the power of the people has everywhere increased, is the undisputed induction from the history of every nation of European origin. The restoration of Charles II. was to Virginia a political

revolution, opposed to the principles of popular liberty which she professed and the course of humane legislation on which she had entered. An assembly continuing for an indefinite period at the pleasure of the governor, and decreeing to its members extravagant and burdensome emoluments ; a royal governor, whose salary was established by a permanent system of taxation ; a constituency restricted and diminished ; religious liberty taken away almost as soon as it had been won ; arbitrary taxation in the counties by irresponsible magistrates ; a hostility to popular education and to the press,—these were the changes which, in a period of ten years, had been wrought by a usurping government.

Meantime, the beauty and richness of the province were becoming better known. Towards the end of May, 1670, the governor of Virginia sent out an exploring party of men to discover the country beyond the mountains, which, it was believed, would open a way to the South Sea. The Blue Ridge they found high and rocky, and thickly grown with wood. Early in June they were stopped by a river, which they guessed to be four hundred and fifty yards wide. It was very rapid and full of rocks, running, so far as they could see, due north between the hills, "with banks in most places," according to their computation, "one thousand yards high." Beyond the river they reported other hills, naked of wood, broken by white cliffs, which in the morning were covered with a thick fog. The report of the explorers did not destroy the confidence that those mountains contained silver or gold, nor that there were rivers "falling the other way into the ocean." In the autumn of the next year the exploration of the valley of Kanawha was continued.

The English parliament crippled the industry of Virginia ; the colonial assembly diminished the franchises of its people ; Charles II. was equally careless of their rights and property. Just after the execution of Charles I., 1649. during the despair of the royalists, a patent for the Northern Neck, that is, for the country between the Rappahannock and the Potomac, had been granted to a company

of **Cavaliers** as a refuge. About nine years after the restoration, this patent was surrendered, that a new one might be issued to Lord Culpepper, who had succeeded in acquiring the shares of all the associates. The grant was extremely oppressive, for it included plantations which had long been cultivated. But the prodigality of the king was not exhausted. To Lord Culpepper, one of the most cunning and most covetous men in England, at the time a member of the commission for trade and plantations, and to Henry, Earl of Arlington, the best bred person at the royal court, father-in-law to the king's son by Lady Castlemaine, ever in debt exceedingly, and passionately fond of things rich, polite, and princely, the lavish sovereign of England gave away "all the dominion of land and water called Virginia," for the term of thirty-one years.

1669.  
May.1673.  
Feb. 25.

The assembly of Virginia, composed in a great part of opulent landholders, was roused by these thoughtless grants of a profligate prince; and Francis Moryson, Thomas Ludwell, and Robert Smith, were appointed agents to sail for England, and enter on the difficult duty of recovering for the king that supremacy which he had so foolishly dallied away. "We are unwilling," said the assembly, "and conceive we ought not to submit to those to whom his majesty, upon misinformation, hath granted the dominion over us, who do most contentedly pay to his majesty more than we have ourselves for our labor. Whilst we labor for the advantage of the crown, and do wish we could be yet more advantageous to the king and nation, we humbly request not to be subjected to our fellow-subjects, but, for the future, to be secured from our fears of being enslaved." Berkeley's commission as governor had expired; the aristocratic legislature, which had already voted him a special increase of salary, and which had continued itself in power by his connivance, solicited his appointment as governor for life.

1674.  
Sept. 21.

The envoys of Virginia were instructed to ask for the colony the immunities of a corporation which could resist further encroachments, and, according to the forms of

English law, purchase of the grantees their rights to the country. The agents fulfilled their instructions, and asserted the natural liberties of the colonists.

We arrive at the moment when almost for the last time the old spirit of English liberty, such as had been cherished by Sir Edwin Sandys and Southampton and Ferrar, flashed up once more in the government of the Stuarts. Among the heads of the charter which the agents of Virginia were commanded by their instructions to entreat of the king, it was proposed "that there should be no tax or imposition laid on the people of Virginia but by their own consent, expressed by their representatives in assembly as formerly provided by many acts." "This," wrote Lord Coventry, or one who expressed his opinion, "this I judge absolutely necessary for their well-being, and what in effect Magna Charta gives; and besides, as they conceive, will secure them from being subject to a double jurisdiction, viz., the lawes of an English parliament where they have noe representatives." The subject was referred by an order in council to Sir William Jones and Francis Winnington,

the attorney and solicitor general; and, in their report of the twelfth of October, 1675, they adopted the clause in its fullest extent, with no restriction except the provision "that the concession bee noe bar to any imposition that may bee laid by act of parliament here," that is, in England, "on the commodities which come from that country." At the court at Whitehall, on the nineteenth of November, this report was submitted to the king in council, who declared himself inclined to favor his subjects in Virginia and give them all due encouragement; he therefore directed letters patent to be prepared confirming all things in the report. The charter was prepared as decreed, and, on the nineteenth of April, 1676, it was ordered by the king in council "that the lord chancellor doe cause the said grant to pass under the great seale of England accordingly." It might have seemed that a great era was opening upon England through the solemn concession to the oldest of her colonies of all the rights of independent legislation. In the progress of their suit, the

agents of Virginia were grateful for the support of Coventry, whom they extolled as one of the worthiest of men. They owned the aid of Jones and Winnington ; and they had the voices "of many great friends," won by a sense of humanity, or submitting to be bribed by poor Virginia. But a stronger influence was secretly and permanently embodied in favor of the despotic administration of the colonies, and the consequent chances of great emoluments to courtiers. On the thirty-first of May, the king in council reversed his former decree, and ordered that "the lord high chancellor of England doe forbear putting the great seale to the patent concerning Virginia, notwithstanding the late order of the nineteenth April last past." The irrevocable decision against the grant of a charter was made before the news reached England of events which involved the Ancient Dominion in gloom.

## CHAPTER XX.

## THE GREAT REBELLION IN VIRGINIA.

AT the time when the envoys were appointed, Virginia was rocking with the excitements that grew out of 1674. its domestic griefs. The rapid and effectual abridgment of its popular liberties, joined to the uncertain tenure of property that followed the announcement of the royal grants, would have roused any nation; how much more a people like the Virginians! The generation now in existence were chiefly the children of the soil, nurtured in the freedom of the wilderness, and dwelling in lonely cottages scattered along the streams. Of able-bodied freemen, the number was estimated at not far from eight thousand. No newspapers entered their houses; no printing-press furnished them a book. They had no recreations but such as nature provides in her wilds; no education but such as parents in the desert could give their offspring. The paths were bridleways rather than roads; and the highway surveyors aimed at nothing more than to keep them clear of logs and fallen trees. There was not an engineer in the country. I doubt if there existed what we should call a bridge in the whole dominion. Visits were made in boats or on horseback; and the Virginian, 'ravelling with his pouch of tobacco for currency, swam the rivers, where there was neither ferry nor ford. Almost every planter was his own mechanic. The houses, for the most part of but one story, and made of wood, often of logs, the windows closed by shutters for want of glass, were sprinkled at great distances on both sides of the Chesapeake. There was hardly such a sight as a cluster of three dwellings. Jamestown was but a place of a state house, one church, and eighteen houses, occupied by about a dozen families. Till very recently, the legislature had assembled in the hall of

an alehouse. Virginia had neither towns nor lawyers. As to shipping, there never were more than two vessels, and those not above twenty tons' burden. A few of the wealthier planters lived in braver state at their large plantations, and, surrounded by indented servants and slaves, produced a form of society that has sometimes been likened to the manners of the patriarchs, and sometimes to the baronial pride of feudalism. The inventory of Sir William Berkeley gave him seventy horses, as well as large flocks of sheep. "Almost every man lived within sight of a lovely river." The parish was of such extent, spreading over a tract which a day's journey could not cross, that the people met together but once on the Lord's Day, and sometimes not at all; the church, rudely built in some central solitude, was seldom visited by the more remote families, and was liable to become inaccessible by the broken limbs from forest trees or the wanton growth of underwood and thickets.

Here was a new form of human nature. A love of freedom inclining to anarchy pervaded the country; loyalty was a feebler passion than the love of liberty. Existence "without government" seemed to promise to "the general mass"—it is a genuine Virginia sentiment—"a greater degree of happiness" than the tyranny "of the European governments." Men feared injustice more than they feared disorder. In the Old World, the peasantry crowded together into compact villages; the farmers of Virginia lived asunder, and in their mild climate were scattered very widely, rarely meeting in numbers except at the horse-race, or the county court.

It was among such a people, which had never been disciplined to resistance by the heresies of sects or the new opinions of "factious" parties, which, till the restoration, had found the wilderness a safe protection against tyranny, and had enjoyed "a fifty years' experience of a government easy to the people," that the pressure of increasing grievances excited open discontent. Men gathered together in the gloom of the forests to talk of their hardships. Half conscious of their wrongs, half conscious of the rightful remedy, they were ripe for insurrection. A collision be-

tween prerogative and public opinion, between that part of the wealth of the country which was allied with royalism and the great mass of the numbers and wealth of the country, between the old monarchical system and the American popular system, was at hand. Opinions were coming into life; and the plastic effort of modern political being was blindly but effectually at work.

1674. In 1674, on the first spontaneous movement, the men of wealth and established consideration kept aloof. It was easily suppressed by the calm advice "of some discreet persons," in whom the discontented had confidence. Yet it was not without effect; the county commissioners were ordered to levy no more taxes for their own emoluments. But, as the great abuses continued unreformed, the murmurs were not quieted. The common people were rendered desperate by taxes, which, being levied for polls, deprived labor of nearly all its earnings. To produce an insurrection, nothing was wanting but an excuse for appearing in arms.

The causes which had driven the Indians of New England to despair acted with equal force on the natives of Virginia.

The Seneca Indians, a tribe of the Five Nations, had driven the Susquehannahs from their abode at the head of the Chesapeake to the vicinity of Piscataway on the Potomac; and Maryland had terminated a war with them 1675. and their confederates. In July, 1675, a party of them, crossing from the Maryland to the Virginia shore, pillaged a plantation whose owner, they charged with having defrauded them in trade. They were pursued, overtaken, stripped of their spoils, and beaten or killed. To be revenged on the planter, Indian warriors killed two of his servants and his son. A party of thirty Virginians under Brent and Mason followed them across the river, and killed a chief and ten of his men, while the rest fled for their lives. The governor of Maryland complained to Sir William Berkeley of the violation of his jurisdiction. Meantime, the Indians, having obtained a wonderful skill in the use of fire-arms, built a fort within the border of Maryland,

and grew bold and formidable. Virginian and Maryland volunteers joined together, and for seven weeks besieged the fort, losing fifty men. When five of the chiefs came out to treat of peace, they were kept prisoners, and at last put to death. The besieged made their escape by night with all their wives and children and valuable goods, wounding and killing some of the English at their going off. They then spread themselves from the vicinity of Mount Vernon to the falls of James River, carrying terror to every grange ; murdering in blind fury, till their passions were glutted ; killing at one time thirty-six persons ; and then running off into the woods.

When this intelligence was brought to the governor, he ordered a competent force of horse and foot, under the command of Sir Henry Chicheley, to pursue the murderers, with full power to make peace or war. But no sooner were the men in readiness to march than the governor, who had a monopoly of the very lucrative Indian trade, suddenly recalled the commission, disbanded the men, and, referring the matter to the next assembly, left the frontier defenceless. As a consequence, the country was laid waste ; one parish in Rappahannock county, which on the twenty-fourth of January, 1676, consisted of seventy-one plantations, was within the next seventeen days reduced to eleven. In the twelve months preceding March, 1676, "three hundred Christian persons" of Virginia were murdered by the savages. The assembly, when it came together, did nothing to prevent these massacres but to order forts to be built on the heads of rivers and on the frontiers of the country. The measure was universally disliked, as one attended by great expense and bringing no security ; for by help of the thick woods, swamps, and other covert, the Indians could pass any fort at their pleasure. So soon as they became aware of the futility of the preparations against them, their murders, rapines, and outrages became the more barbarous, fierce, and frequent. Many remote plantations were deserted, and those who ventured to stay behind were destroyed. Death ranged the land under the hideous forms of savage cruelty.

The cries of their wives and children growing intolerable to the people, who believed the system of forts to be "a juggle of the grandees to engross all the tobacco," the Virginia currency, "into their own hands," they asked leave at their own charge to go out against the Indians under any commander whom the governor would appoint. Instead of granting their request, the governor by proclamation forbade, under a heavy penalty, the like petitioning in the future, and even gave orders to the garrisons of the forts to undertake nothing against the enemy without first making a report to him and receiving his special orders; so that every opportunity of attack was lost. The refusal confirmed the jealousy that he was swayed by avarice, for, after prohibiting by proclamation all trade with the Indians, they complained that he privately gave commissions to his friends to truck with them; and that these persons furnished them with more powder and shot than were in the hands of the planters.

The governor received news that formidable bodies  
1676. of red men were coming down the James River, and were already within about fifty miles of the plantations; yet, swayed by the influence of interested colonial courtiers, he still refused to commission any one to resist them. The people of Charles City county therefore, exercising the natural right of self-defence, with the silent assent of the magistrates, beat up for volunteers, who, as they assembled, wanted nothing but a leader. It happened that Nathaniel Bacon had arrived in that part of the world about fourteen months before. He was of an ancient family and an only son. Born during the contests between the parliament and Charles I., nursed amidst the struggles of the democratic revolution, he had studied in the inns of court, and had travelled widely on the continent of Europe. When about three-and-thirty years of age, he was seized with a desire to see the New World, and came over to Virginia with a large capital. His birth, his culture, and his fortune obtained for him, immediately on his arrival, a seat in the council; and this honor raised his consideration with the people. In person he was tall but slender, of a pensive,

melancholy cast of features, inclined to silence, discreet in speech, and not given to sudden replies. With a pleasing address and a commanding power of elocution, he had not as yet been suspected of ambition. Discoursing with two Virginians on the sadness of the times, the danger from the Susquehannahs, by whom, among others, his overseer had been murdered on his plantation, near where the James River leaps into the lowlands and the city of Richmond now towers above flood and vale, they persuaded him to go over and see the volunteers collected on the other side of the James River. As he came among them, of a sudden, without any previous knowledge on his part, they all with one voice shouted, "A Bacon! a Bacon!" and prevailed upon him to become their chief. His consent cheered and animated them, for they looked upon him as the great friend and preserver of the country. On his side, he set forth his purpose not only to destroy the common enemy, but to obtain the absolutely necessary redress of unjust taxes and laws, and to recover their liberties. The volunteers severally wrote their names in a round-robin, and took an oath to stick fast to one another and to him. The county of New Kent was ripe to take part with them.

Berkeley would grant no permission to them to rise and protect themselves. Then followed just indignation at mis-spent entreaties; and, as soon as Bacon had three hundred men in arms, he led them against the Indians. At the same time, his commanding abilities gave the 1676. ascendency to the principles which he espoused.

Moderation on the part of the government would still have restored peace. Sober men in Virginia were of opinion that a few concessions — the secure possession of land, the liberties of free-born subjects of England, a diminution of the public expenses, a tax on real estate rather than on polls alone — would have quieted the colony. But hardly had Bacon begun his march, when Berkeley, yielding April to the instigations of a very small number of a selfish faction, proclaimed him and his followers rebels, and levied troops to pursue them. As a consequence, a new insurrection compelled the governor to return to Jamestown. The

lower counties had risen in arms, and demanded the “immediate dissolution” of the old assembly, to which they ascribed their griefs.

With the mass of the people against him, the testy Cavalier was constrained to yield. The assembly, which had become odious by its long duration, the selfishness of its members, and its subversion of popular freedom, was dissolved; writs for a new election were issued; and Bacon, returning in triumph from his Indian warfare, was unanimously elected a burgess from Henrico county.

In the choice of this assembly, which went by the name of Bacon, the late disfranchisement of freemen was little regarded. A majority of the members returned were “much infected” with the principles of Bacon; and their speaker, Thomas Godwin, was notoriously a friend to all “the rebellion and treason which distracted Virginia.” In the midst of contradictory testimony on their character, the acts of the assembly in June must be taken as paramount authority on the purposes of “the Grand Rebellion in Virginia.”

<sup>1676.</sup> <sup>June 5-24.</sup> The late expenditures of public money had not been accounted for. High debates arose on the wrongs of

the indigent, who were oppressed by taxes alike unequal and exorbitant. The monopoly of the Indian trade was suspended. A compromise with the insurgents was effected; on the one hand, Bacon acknowledged his error in acting without a commission, and the assemblies of disaffected persons were censured as acts of mutiny and rebellion; on the other, he was restored to favor, readmitted into the council, and promised a commission as general, to the universal satisfaction of the people, who made the town ring with their joyous acclamations at the appointment of “the darling of their hopes” to be the defender of Virginia. The church aristocracy was broken up by limiting the term of office of the vestrymen to three years, and giving the election of them to the freemen of each parish. The elective franchise was restored to the freemen whom the previous assembly had disfranchised; and, as “false returns of sheriffs had endangered the peace,” the purity

of elections was guarded by wholesome penalties. The arbitrary annual assessments, hitherto made by county magistrates, irresponsible to the people, were prohibited; the Virginians insisted on the exclusive right of taxing themselves, and made provision for the county levy by the vote of their own representatives. The fees of the governor, in cases of probate and administration, were curtailed; the unequal immunities of councillors were abrogated; the sale of wines and ardent spirits was absolutely prohibited, if not at Jamestown, yet otherwise through the whole country; two of the magistrates, notorious for raising county taxes for their private gains, were disfranchised; and finally, that there might be no room for future reproach or discord, all past derelictions were covered by a general amnesty.

The measures of the assembly were not willingly conceded by Berkeley, who refused to sign the commission that had been promised. Fearing treachery, Bacon secretly withdrew, to recount his wrongs to the people; and in a few days he reappeared in the city at the head of nearly five hundred armed men, whom he paraded in front of the state house. The governor, rising from the chair of judicature, came down to him, and told him to his face, and before all his men, that he was a rebel and a traitor, and should have no commission; and, uncovering his naked bosom, required that some of the men might shoot him, before ever he would be drawn to sign or consent to a commission for such a rebel. "No," continued Berkeley, "let us first try and end the difference singly between ourselves," and offered to measure swords with him. To the challenge Bacon gave only this answer: "Sir, I came not nor intend to hurt a hair of your head, and, for your sword, your honor may please to put it up; it shall rust in the scabbard before ever I shall desire you to draw it. I come for a commission against the heathen, who daily inhumanly murder us, and spill our brethren's blood, and no care is taken to prevent it." When passion had subsided, Berkeley yielded. The commission was issued; the governor united with the burgesses and council in transmitting to England warm commendations of the zeal, loyalty, and patriotism of Bacon,

and the ameliorating legislation of the assembly was ratified. That better legislation was completed, according to the new style of computation, on the fourth day of <sup>1676.</sup> June 24. July, 1676, just one hundred years, to a day, before <sup>O. S.</sup> the congress of the United States, adopting the declaration framed by a statesman of Virginia, began a new era in the history of man.

A momentary joy pervaded the colony. Encouraged by the active energy of their general, men scoured the forests and the swamps, wherever an Indian ambush could lie concealed, though not without incurring the censure of failing to spare friendly tribes. But just as the army, which he had collected at the falls of James River, was preparing to march against the savages, the governor violated the amnesty. Repairing to Gloucester county, the most populous and most loyal in Virginia, he summoned a convention of its inhabitants. With great unanimity "the whole convention" disrelished his proposals, and saw in the object of his hatred the defender of their countrymen; but the petulance of the Cavalier could not be appeased; against the advice of the most loyal county in Virginia, and against his own unqualified pledges to the colonial assembly which he might have dissolved, the governor once more declared Bacon and his men rebels and traitors, and endeavored to raise forces to go and surprise them.

The news was conveyed to the camp by Drummond, the former governor of North Carolina, and by Richard Lawrence, a pupil of Oxford, distinguished for learning and sobriety, a man of deep reflection and of energy of purpose. "It vexes me to the heart," said Bacon, "that, while I am hunting the wolves and tigers that destroy our lambs, I should myself be pursued as a savage. Shall persons wholly devoted to their king and country—men hazarding their lives against the public enemy—deserve the appellation of rebels and traitors? The whole country is witness to our peaceable behavior. But those in authority, how have they obtained their estates? Have they not devoured the common treasury? What arts, what sciences, what schools of learning, have they promoted? I appeal to the king

and parliament, where the cause of the people will be heard impartially."

Bacon had already taken the oath of allegiance and supremacy, and his soldiers freely complied with his wish that they should do the like. He now caused the drums to beat and trumpets to sound for calling his men together. Appealing to their consciences as the best witnesses of their right intentions, he proposed to descend the river and demand why the governor and his few friends should betray the lives of the troops whom they themselves had levied to preserve them against the fury of the heathen. To this they all cried: "Amen. We are ready." So by this fatal recall, the troops, who were on the point of marching out against the Indians, turned their swords to their own defence. The great industry and endeavors of the governor to raise a force against Bacon were in vain. His interest proved so weak and his friends so few that he grew sick of the essay, and, "with very grief and sadness of spirit for so bad success, fainted away on horseback in the field." Hearing of Bacon's approach to Gloucester, he fled to Accomack.

The field being his own, Bacon led his men to Middle Plantation, now Williamsburg, "the very heart and centre of the country," and there he established his quarters. The condition of himself and his followers was become critical. Drummond, who was versed in the early history of Virginia, advised that Berkeley should be deposed, and Sir Henry Chicheley substituted as governor. The counsel was disliked. "Do not make so strange of it," said Drummond; "for I can show, from ancient records, that such things have been done in Virginia." Besides, the period of ten years, for which Berkeley was appointed, had already expired. After much discussion, it was agreed that the retreat of the governor should be taken for an abdication; and Bacon, who had been a member of the council, with four of his colleagues, sent forth a proclamation "inviting the gentlemen of Virginia to come in and consult with him for the present settlement of his majesty's distracted colony, to preserve its future peace, and to advance the effectual prosecuting of the Indian war."

The discontent pervaded the whole province; and increased when, after a year's patience under accumulated oppressions, the envoys of the colonies, themselves by their heavy expenses a new burden, reported no hope of a charter or any remedy of their grievances from England.

<sup>1676.</sup> Aug. 3. The call to Virginia was answered; none were willing to sit idle in the time of general calamity. Her most eminent men came together at Middle Plantation. Bacon excelled them all in argument; the public mind was swayed by his judgment, and an oath was taken by the whole convention to support him against the Indians, and, if possible, to prevent a civil war; should the governor persevere in his obstinate self-will, to protect him against every armed force; and even if troops should arrive from England, to resist them, till an appeal could reach the king in person. Copies of this oath were sent to the counties of Virginia; and by the magistrates, and others of the respective precincts, it was administered to the people, "none, or very few, refusing." The wives of Virginia statesmen shared the enthusiasm. "The child that is unborn," said Sarah Drummond, "a notorious and wicked rebel," "shall have cause to rejoice for the good that will come by the rising of the country." "Should we overcome the governor," said Ralph Weldinge, "we must expect a greater power from England, that would certainly be our ruin." Sarah Drummond remembered that England was divided into hostile factions for the Duke of York and the Duke of Monmouth. Taking from the ground a small stick, she broke it in twain, adding: "I fear the power of England no more than a broken straw." The relief from the hated navigation acts seemed certain. Now "we can build ships," it was urged, "and, like New England, trade to any part of the world." The stout-hearted woman would not suffer a throb of fear in her bosom. In the greatest perils to which her husband was exposed, she confidently exclaimed: "We shall do well enough;" continuing to encourage the people and inspire the soldiers with her own enthusiasm.

Fortified by this unanimity of the gentlemen of Virginia assembled at Williamsburg, and of the people in their sev-

eral counties, Bacon led his troops against the savages. Meantime, Sir William Berkeley collected in Accomack a crowd of base and cowardly followers, allured by the passion for plunder. Civil wars were one of the means of enfranchising the serfs of England; Berkeley promised freedom to the servants and slaves of the insurgents, if they would rally under his banner. The English vessels in the harbors naturally joined his side. With a fleet of five ships and ten sloops, attended by a rabble of hirelings, the Cavalier sailed for Jamestown, where he landed with-  
<sup>1676.</sup>  
<sub>Sept. 8.</sub> out opposition. Entering the town, he fell on his knees, returning thanks to God for his safe arrival; and again proclaimed Bacon and his party traitors and rebels.

The cry resounded through the forests for "the countrymen" to come down. "Speed," it was said, "or we shall all be made slaves,—man, woman, and child." "Your sword," said Drummond to Lawrence, "is your commission, and mine too; the sword must end it;" and both prepared for resistance.

Having returned from a successful expedition and disbanded his troops, Bacon had retained but a small body of men when the tidings of the armed occupation of Jamestown surprised him in his retirement. His eloquence inspired his few followers with courage. "With marvellous celerity" they hastened towards their enemy. On the way they secured as hostages the wives of royalists who were with Berkeley. They soon appeared under arms before the town, sounded defiance, and, under the mild light of a September moon, threw up a rude intrenchment. They were with difficulty held back from storming the place by Bacon, who valued his friends too much to risk the life of one of them without necessity.

The followers of Berkeley were too cowardly to succeed in a sally; and, to secure plunder, they made excuses to desert. No considerable service was done, except by the seamen. What availed the passionate fury and desperate courage of a brave, irascible old man? Unable to hold his position, from the cowardice of his men, he retreated from the town by night.

On the morning after the retreat, Bacon entered the little capital of Virginia. There lay the ashes of Gosnold ; there the gallant Smith had told the tale of his adventures ; there Pocahontas had sported in the simplicity of innocence. For nearly seventy years it had been the abode of Anglo-Saxons. As it was well fortified, a council of war resolved to burn the only town in Virginia, that it might not afford shelter for an enemy. As the shades of night descended, and after the records of the colony had been removed by Drummond to a place of safety, the village was set on fire. Two of the best houses belonged to Lawrence and Drummond ; each of them, with his own hand, kindled the flames that were to lay his dwelling in ashes. The little church, the oldest in the dominion, the newly erected state house, were consumed. In the darkness the conflagration blazed high in the air, and was seen by the fleet that lay at anchor twenty miles below the town. The ruins of the tower of the church, and the memorials in the adjacent graveyard, are all that now mark for the stranger the peninsula of Jamestown.

Leaving the smoking ruins, Bacon hastened to meet the royalists from the Rappahannock. No engagement ensued ; the troops in a body joined the patriot party ; and Brent, their leader, was left at the mercy of the insurgents. Even the inhabitants of Gloucester gave pledges of adhesion. Nothing remained but to cross the bay, and revolutionize the eastern shore.

During the siege of Jamestown, the insurgent army had been exposed to the fatal dews and night air of the lowlands. Bacon suddenly sickened ; vainly struggled "with a most malignant disease, and on the first day of October died. Seldom has a political leader been more honored by his friends. "Who is there now," said they, "to plead our cause? His eloquence could animate the coldest hearts ; his pen and sword alike compelled the admiration of his foes, and it was but their own guilt that styled him a criminal. His name must bleed for a season ; but when time shall bring to Virginia truth crowned with freedom, and safe against danger, posterity shall sound his praises."

The death of Bacon left his party without a head. A series of petty insurrections followed; but in Robert Beverley the royalists found an agent superior to any of the remaining insurgents. The ships in the river, including one which had been recovered from the party of Bacon, were at his disposal, and a warfare in detail restored the supremacy of the governor.

Thomas Hansford, a native Virginian, was the first partisan leader whom Beverley surprised. Young, gay, and gallant, impatient of restraint, keenly sensitive to honor, "a valiant stout man and a most resolved rebel," he was a true representative of the Virginia character. He disdained to shrink from the malice of destiny, and Berkeley condemned him to be hanged. Neither at his trial nor <sup>1676.</sup> <sub>Nov. 13.</sub> afterwards did he show any diminution of fortitude. He demanded no favor, but that "he might be shot like a soldier, and not hanged like a dog." "You die," it was answered, "not as a soldier, but as a rebel." During the short respite after sentence, he reviewed his life, and expressed penitence for every sin. What was charged on him as rebellion, he denied to have been a sin. "Take notice," said he, as he came to the gibbet, "I die a loyal subject and a lover of my country." That country was Virginia.

Taking advantage of their naval superiority, a party of royalists entered York River, and surprised the troops that were led by Edmund Cheesman and Thomas Wilford. The latter, a younger son of a royalist knight, who had fallen in the wars for Charles I., a truly brave man, and now by his industry a successful emigrant, lost an eye in the skirmish. "Were I stark blind," said he, "the governor would afford me a guide to the gallows." When Cheesman was arraigned for trial, Berkeley demanded: "Why did you engage in Bacon's designs?" Before the prisoner could frame an answer, his wife, a young woman, stepped forward. "My provocations," such were her words, "made my husband join in the cause for which Bacon contended; but for me, he had never done what he has done. Since what is done," she added, falling on her knees, "was done by my means, I am most guilty; let me bear the punishment; let

me be hanged, but let my husband be pardoned." She spoke truth; but the governor angrily cried, "Away!" adding reproach to the purity of her nuptial bed. Proud insolence! As if woman would die for one she had dishonored!

The passions of Berkeley grew with the opportunity of indulgence. Nothing is so merciless as offended pride; it remembers a former affront as proof of weakness, and seeks to restore self-esteem by a flagrant exercise of recovered power. No sentiment of clemency was tolerated. From fear that a jury would bring in verdicts of acquittal, men were hurried to death from courts-martial. "You are

very welcome," cried the exulting Berkeley, with a <sup>1677.</sup> low bow, on meeting William Drummond, as his prisoner <sup>Jan. 20.</sup>

"I am more glad to see you than any man in Virginia; you shall be hanged in half an hour." The patriot, avowing the part he had acted, was condemned at one o'clock and hanged at four. His children and wife were driven from their home, to depend on the charity of the planters. At length it was deemed safe to resort to the civil tribunal, where the judges proceeded with the virulence of accusers. A panic paralyzed the juries. Of those put on trial, none escaped being convicted and sent to the

gallows. In defiance of remonstrances, executions <sup>Jan. 29.</sup> continued till twenty-two had been hanged. Three others had died of cruelty in prison; three more had fled before trial; two had escaped after conviction. More lives were taken than, on the action of our present system, would be taken for political offences in a thousand years. "The old fool," said the kind-hearted Charles II., with truth, "has taken away more lives in that naked country than I, for the murder of my father." And in a public proclamation he censured the conduct of Berkeley, as contrary to his commands and derogatory to his clemency. Nor is it certain when the carnage would have ended, had

not the assembly, newly convened, voted an address <sup>1677.</sup> <sup>Feb. 20.</sup> "that the governor would spill no more blood."

"Had we let him alone, he would have hanged half the country," said the member from Northampton to his

colleague from Stafford. Berkeley was as rapacious as cruel, amassing property by penalties and confiscations. The king promptly superseded him by a special commission to a lieutenant-governor; but he pleaded his higher authority as governor, and refused to give way. When the fair-minded royal commissioners of inquiry visited him, he sought out the hangman of the colony to drive them from his house to their boat in the river; so that they went on foot to the landing-place. The news of his contumacy reaching England, most peremptory orders were sent for his removal. With the returning squadron Sir William Berkeley sailed for England. Guns were fired and bonfires kindled at his departure. Public opinion in England censured his conduct with equal severity; and the report of the commissioners in Virginia was fatal to his reputation. He died soon after his arrival in England.

The memory of those who have been wronged is always pursued by the ungenerous. England, ambitious of absolute colonial supremacy, could not render justice to the principles by which Bacon was swayed. No printing-press was allowed in Virginia. To speak ill of Berkeley or his friends was punished by whipping or a fine; to speak or write, or publish any thing, in favor of the rebels or the rebellion, was made a high misdemeanor; if thrice repeated, was evidence of treason. Every accurate account of the insurrection remained in manuscript till the present century.

It was on this occasion that English troops were first introduced into the English colonies in America. After three years, they were disbanded, and mingled with the people.

The results of Bacon's rebellion were disastrous for Virginia. Her form of government was defined by royal instructions that had been addressed to Berkeley. Assemblies were required to be called but once in two years, and to sit but fourteen days, unless for special reasons. "You shall take care," said the king, "that the members of assembly be elected only by free-holders." In conformity with these instructions, all the acts of Bacon's assembly, except perhaps one which permitted the enslaving of Indians and which was

confirmed and renewed, were absolutely repealed, and the former grievances immediately returned. The private levies, unequal and burdensome, were managed by men who combined to defraud; the public revenues were often misapplied; each church was again subjected to its self-perpetuating vestry. The burden of the enormous loss sustained by the insurrection was more severely felt by the poorer classes, because the elective franchise was circumscribed, while taxes continued to be levied by the poll. The commissioners sent by the king to inquire into the condition of Virginia allowed every district to present its afflictions. The county of Westmoreland, of which John Washington was a burgess and a magistrate, declared that it felt no grievances. In other counties there were long reports of tyranny and rapine. But, if complaints were heard with impartiality, every measure of effectual reform was made void, and every aristocratic feature that had been introduced into legislation was perpetuated.









